

# Third District Court of Appeal

State of Florida, January Term, A.D., 2009

Opinion filed July 1, 2009.

Not final until disposition of timely filed motion for rehearing.

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No. 3D09-17

Lower Tribunal No. 08-34516

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**Metropolitan Mortgage Company of Miami, Inc.,**  
Appellant,

vs.

**Fidelity National Title Insurance Company,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Pedro P. Echarte, Jr., Judge.

Arnaldo Velez, for appellant.

Gunster, Yoakley & Stewart and Jack J. Aiello and Scott W. Dangler (West Palm Beach), for appellee.

Before WELLS, SHEPHERD, and LAGOA, JJ.

PER CURIAM.

Affirmed.