

Third District Court of Appeal

State of Florida, January Term, A.D. 2010

Opinion filed July 7, 2010.
Not final until disposition of timely filed motion for rehearing.

No. 3D09-618
Lower Tribunal No. 06-369

Gail C. Cox, et al.,
Appellants,

vs.

Arthur F. McCormick, et al.,
Appellees.

An Appeal from a non-final order of the Circuit Court for Miami-Dade County, Arthur Rothenberg, Judge.

Goldman Felcoski & Stone, P.A., Robert Goldman and Jon Scuderi, for appellants.

Kubicki Draper, and Caryn L. Bellus, for appellees.

Before RAMIREZ, C.J., and CORTIÑAS, J., and SCHWARTZ, Senior Judge.

PER CURIAM.

This is an appeal from an order in which the trial court granted appellee Arthur F. McCormick's motion to strike a counterclaim in the underlying breach of

trust action. See Belle Isle Assocs. Inc. v. Nine Island Ave. Condo. Ass'n., Inc., 990 So. 2d 1176, 1177 (Fla. 3d DCA 2008) (an order is not appealable where “nothing is likely to be over until it is over.”).

DISMISSED.