

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

FLORIDA INSURANCE GUARANTY ASSOCIATION, INC.,
Appellant,

v.

JOANNA CANTWELL and JAMES CANTWELL,
Appellees.

No. 4D2025-0042

[August 12, 2026]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit,
Broward County; Michael Allen Robinson, Judge; L.T. Case No.
062021CA011581AXXXCE.

Caryn L. Bellus, Bretton C. Albrecht, and Daniela Marrero of Kubicki
Draper, P.A., Miami, for appellant.

No appearance for appellees.

CONNER, J.

Florida Insurance Guaranty Association (“FIGA”) challenges a trial court’s order denying FIGA’s motion to enforce settlement agreement and granting appellees Joanna and James Cantwell’s (“the Insureds”) motion to enforce settlement agreement and requiring FIGA to pay the full settlement amount, including the portion allocated to attorneys’ fees. FIGA asserts attorneys’ fees are not part of covered claims for which it is obligated to pay. This case is governed by our recent decisions in *Florida Insurance Guaranty Association v. Hintz*, 4D2025-0204, 51 Fla. L. Weekly D1243a (Fla. 4th DCA June 17, 2026), and *Florida Insurance Guaranty Association v. Wilson*, 4D2025-2032, 51 Fla. L. Weekly D1379b (Fla. 4th DCA July 8, 2026). See also *Fla. Ins. Guar. Ass’n v. Waterfire Restoration, LLC*, 427 So. 3d 996 (Fla. 4th DCA 2025); *Fla. Ins. Guar. Ass’n v. Cadet*, 431 So. 3d 276 (Fla. 4th DCA 2026); *Petty v. Fla. Ins. Guar. Ass’n*, 80 So. 3d 313 (Fla. 2012).

Here, the complaint sought attorneys’ fees, and the settlement agreement and release provided that the payment was inclusive of attorneys’ fees. The payment was divided into a portion going to the

Insureds and the other to the Insureds' counsel. As with our previous decisions, we agree the trial court erred and reverse with instructions to vacate the order requiring FIGA to pay the entire settlement amount, including the attorneys' fees portion, and to enter an order granting FIGA's motion to enforce settlement.

Reversed and remanded with instructions.

CIKLIN, J., and BURTON, CHARLES E., Associate Judge, concur.

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Not final until disposition of timely-filed motion for rehearing.