

Third District Court of Appeal

State of Florida

Opinion filed July 23, 2026.
Not final until disposition of timely filed motion for rehearing.

No. 3D25-2099
Lower Tribunal No. 24-12878-CA-01

Diamond Art Club, LLC,
Appellant,

vs.

Lindsay Gosnell,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Spencer Eig,
Judge.

Fox Rothschild LLP, and Joseph A. DeMaria and Sarah Emily
Coleman, for appellant.

No appearance, for appellee.

Before LINDSEY, MILLER and GOODEN, JJ.

PER CURIAM.

Affirmed. See Himes v. Brown & Co. Sec. Corp., 518 So. 2d 937, 938 (Fla. 3d DCA 1987) (“In Florida, unless the fact-finder is presented with evidence which will enable it to determine damages for lost profits with a reasonable degree of certainty, rather than by means of speculation and conjecture, the claimant may not recover such damages.”); Continuum Condo. Ass’n, Inc. v. Continuum VI, Inc., 549 So. 2d 1125, 1127 (Fla. 3d DCA 1989) (“While nominal damages can be awarded when a legal wrong has been proven, but the aggrieved party suffered no damages, or where, e.g., a contract has been breached, but for one reason or another recoverable damages were not proven”) (citations omitted); Crain Auto. Group, Inc. v. J & M Graphics, Inc., 427 So. 2d 300, 301 (Fla. 3d DCA 1983) (“The rule is that lost profits must be shown with a reasonable degree of certainty.”); see also Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150, 1152 (Fla. 1979) (“In appellate proceedings the decision of a trial court has the presumption of correctness and the burden is on the appellant to demonstrate error.”).