

FIFTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA

Case Nos. 5D2023-2271
5D2023-3521
LT Case No. 2020-CA-005324

PROGRESSIVE SELECT
INSURANCE COMPANY,

Appellant/Cross-Appellee,

v.

CURTIS WHITEHOUSE and
ARLINSON CHILITO,

Appellee/Cross-Appellant.

On appeal from the Circuit Court for Duval County.
Robert M. Dees, Judge.

Scott A. Cole, Kurt T. Koehler, and Francesca M. Stein, of Cole,
Scott & Kissane, P.A., Miami, and Joseph T. Kissane and Victoria
M. Merritt, Jacksonville, for Appellant/Cross Appellee.

Jessie L. Harrell, of The Harrell Firm, Jacksonville, for Curtis
Whitehouse, Appellee/Cross Appellant.

No Appearance for Arlinson Chilito, Appellee/Cross Appellant.

February 14, 2025

PER CURIAM.

The direct appeal is affirmed in all respects as is the cross-appeal in all respects with regard to the nature and amount of attorney's fees which were awarded below to Curtis Whitehouse. We find that the issues initially raised on cross-appeal by Curtis Whitehouse regarding awarding the interest and reasonable costs sought by Whitehouse were rendered moot, once an agreement was reached between the parties as to the outstanding amounts owed and Progressive Select Insurance Company paid same, which was after Whitehouse filed his initial notice of cross-appeal. Accordingly, that aspect of the cross-appeal is dismissed as moot.

AFFIRMED, in part; and DISMISSED as MOOT, in part.

EDWARDS C.J., and LAMBERT and HARRIS, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.
