

FLORIDA STANDARDBRED
BREEDERS AND OWNERS
ASSOCIATION, INC.,

Appellant,

v.

PPI, INC., a Florida corporation,
d/b/a, POMPANO PARK
RACING; and the FLORIDA
DIVISION OF PARI-MUTUEL
WAGERING OF THE FLORIDA
DEPARTMENT OF BUSINESS
AND PROFESSIONAL
REGULATION,

Appellees.

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D09-5388

Opinion filed July 20, 2010

An appeal from the Circuit Court for Leon County.
Charles A. Francis, Judge.

Jeffrey C. Schneider of Levine Kellogg Lehman Schneider & Grossman LLP, Miami, for Appellant.

Jack M. Skelding, Jr. of Brewton Plante, P.A., Tallahassee, for Appellee PPI, Inc.; Garnett W. Chisenhall, Tallahassee, for Appellee Florida Department of Business and Professional Regulation.

PER CURIAM.

DISMISSED. See Johnson v. First City Bank of Gainesville, 491 So. 2d 1217 (Fla. 1st DCA 1987) (holding that order granting motion to dismiss with prejudice is not final). In light of the dismissal, the appellee's Motion to Dismiss, filed on December 10, 2009, is denied as moot.

WOLF, KAHN, and VAN NORTWICK, JJ., CONCUR.