

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

OSVALDO CACERES,

Appellant,

v.

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

CASE NO. 1D09-5962

SEDANO'S SUPERMARKETS
and JOHN EASTERN CO., INC.,

Appellees.

Opinion filed June 9, 2010.

An appeal from an order of the Judge of Compensation Claims.
Geraldo Castiello, Judge.

Date of Accident: September 22, 2003.

William F. Souza of The Law Offices of William F. Souza, P.A., North Miami
Beach, for Appellant.

Barbara K. Case of Angones, McClure & Garcia, P.A., Miami, for Appellees.

PER CURIAM.

Oswaldo Caceres appeals an order of the Judge of Compensation Claims
(JCC) enforcing a settlement agreement. Because the severance agreement and
release, which the JCC concluded was a material part of the overall settlement

agreement, provides that Caceres may revoke the agreement within seven days following the date of execution of the agreement, and because Caceres expressly rejected the settlement prior to executing the settlement documents, the JCC erred in finding the parties had reached a settlement of the workers' compensation case. See Jones v. Miami-Dade Cmty. Coll., 933 So. 2d 1221 (Fla. 1st DCA 2006).

REVERSED.

WOLF, KAHN, and ROBERTS, JJ., CONCUR.