

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

ZAMPELL REFRACTORIES,
INC. and ZURICH NORTH
AMERICA,

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

Appellants/Cross-Appellees,

v.

CASE NO. 1D10-5592

RANDY WELCH,

Appellee/Cross-Appellant.

_____ /

Opinion filed April 14, 2011.

An appeal from an order of the Judge of Compensation Claims.
Ellen H. Lorenzen, Judge.

Date of Accident: August 17, 2009.

Hinda Klein of Conroy, Simberg, Ganon, Krevans, Abel, Lurvey, Morrow &
Schefer, P.A., Hollywood, for Appellants/Cross-Appellees.

Bill McCabe, Longwood, and Joseph E. Smith, Ocala, for Appellee/Cross-
Appellant.

PER CURIAM.

The employer and carrier appeal an order of the Judge of Compensation
Claims (JCC) finding that Claimant did not intentionally misrepresent his

condition in an effort to obtain workers' compensation benefits. Claimant cross-appeals the JCC's limitation of his attorney's fee to a guideline fee. We AFFIRM without comment the employer/carrier's appeal. Because the JCC reserved jurisdiction to determine the amount of the fee, we DISMISS the cross-appeal for lack of jurisdiction. See Se. Recycling v. Cottingim, 728 So. 2d 342, 343 (Fla. 1st DCA 1999) (dismissing "portion of order which determines entitlement to attorney's fees but reserves jurisdiction to set the amount of the fee" for lack of jurisdiction). See also Wometco Enters. v. Cordoves, 650 So. 2d 1117 (Fla. 1st DCA 1995) (holding order adjudicating entitlement to attorney's fee but reserving jurisdiction on amount was "neither a final order not an appealable non-final order").

DAVIS, LEWIS, and WETHERELL, JJ., CONCUR.