

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JULY TERM 2009

SCOTT CHARLTON, ET AL.,

Appellants/Cross-Appellees,

v.

CASE NOS. 5D08-3109

5D08-3110

5D08-3111

BLACK DIAMOND PROPERTIES, ET AL.,

Appellees/Cross-Appellants.

Opinion filed August 14, 2009.

Appeal from the Circuit Court for
Citrus County,
Robert Kaye, Senior Judge.

Scott Charlton, Sarasota, pro se.

Robert W. Batsel, of McClellan and Batsel,
P.A., Ocala, for Appellant/Cross Appellee
Edward L. Scott.

Steven A. Rothenburg, Ocala, and John C.
Bell, Jr., of Bell & Brigham, Augusta,
Georgia, for Appellants/Cross-Appellees
Charles S. Haines, Kathy Haines, Richard O.
Conboy, Jackson Randolph, Williams Bristol,
Larry Laukka, Angelo Masut, Brenda Masut
and Tom Howell.

Edward A. Marod, of Edward A. Marod,
P.A., West Palm Beach, and Anne S.
Mason, Mason Law, P.L., Clearwater, for
Appellees/Cross-Appellants.

PER CURIAM.

This is a consolidated appeal from a final order requiring Appellants to pay
attorneys' fees pursuant to section 57.105, Florida Statutes (2008), related to a motion

for sanctions which they filed and pursued against Appellees and their attorneys. On appeal, Appellees concede that they are not entitled to six hours of fees for time spent at the deposition of two witnesses, Olsen and Taylor, or to twelve hours for attending the fee hearing itself. Finding no other error, we affirm the order on appeal in all other respects, and remand for entry of a corrected order consistent with Appellees' concessions.

AFFIRMED IN PART, REVERSED IN PART, and REMANDED.

ORFINGER, LAWSON, JJ., and PLEUS, JR., R., Senior Judge, concur.