

**IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL DIVISION**

CHRISTOPHER JACKSON and
ZAIDA JACKSON,

Plaintiffs,

Case No.: 10-13586

Division: "A"

v.

USAA CASUALTY INSURANCE
COMPANY,

Defendant.

**ORDER DENYING DEFENDANT'S MOTION FOR APPLICATION OF A
TECHNICAL DEFINITION OF "STRUCURAL DAMAGE"**

This cause came before the Court on June 2, 2011, on Defendant's Motion for Application of a Technical Definition of "Structural Damage." The Court being fully advised in the premises, and after hearing the arguments of counsel of record states that it is hereby:

ORDERED AND ADJUDGED as follows:

Defendant's Motion is **DENIED**. The Court finds that, notwithstanding recent amendments to Fla. Stat. §627.706, *et. seq.*, effective as of May 17, 2011, the phrase "structural damage" as it relates to the subject insurance policy in effect as of September 17, 2008 and as set forth in Fla. Stat. §627.706 (2008), is undefined, and that the Florida Legislature did not intend for a technical definition to apply. The phrase "structural damage" shall mean damage to the structure in question; in this case Plaintiffs' house.

DONE AND ORDERED in Chambers, in Tampa, Hillsborough, Florida this ~~June~~ ^{July} day of ~~June~~ ^{July}, 2011.

ORIGINAL SIGNED
CONFORMED COPY

JUL 05 2011

SAM D. PENDINO
CIRCUIT JUDGE

THE HONORABLE SAM D. PENDINO
(Circuit Court Judge)

Copies furnished to:
Erick C. "Rick" Nutter, Esquire
Jonathan T. Hall, Esquire

JUL 06 2011