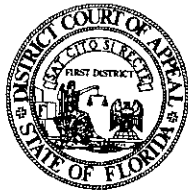


12-10-02



DISTRICT COURT OF APPEAL  
FIRST DISTRICT  
STATE OF FLORIDA  
TALLAHASSEE, FLORIDA 32399-1850

04 JUN -3 PM 1:06  
RECEIVED  
DISTRICT COURT OF APPEAL  
FIRST DISTRICT  
TALLAHASSEE, FLORIDA

JON S. WHEELER  
CLERK OF THE COURT

(850) 488-6151

June 2, 2004

Ann Cole, Clerk  
Division Of Admin. Hearings  
1230 Apalachee Parkway  
Desoto Bldg.  
Tallahassee, FL 32399-3060

RE: Plantation General Hospital et al. v. Bassam Abifaraj and Rayya Abifaraj etc., etal  
Docket No: 1D04-356  
Lower Tribunal Case No.: 00-4406N

*WJK-CLW*

Dear Ms. Cole:

I have been directed by the court to issue the attached mandate in the above-styled cause. It is enclosed with a certified copy of this Court's opinion.

Yours truly,

Jon S. Wheeler  
Clerk of the Court

JSW/jm

Enclosures

c: (letter and mandate only)  
W. Douglas Moody, Jr.  
Hal Anderson  
Nancy W. Gregoire  
Darlene Stosik

John W. Mauro  
Kenney Shipley  
Barbara Green  
Liana Silsby

Wilbur E. Brewton  
Kelly B. Plante  
Esther E. Galicia  
Mayer Gattegno

# M A N D A T E

From

DISTRICT COURT OF APPEAL OF FLORIDA  
FIRST DISTRICT

04 JUN -3 PM 1:06  
CLERK'S OFFICE  
DISTRICT COURT OF APPEAL OF FLORIDA  
FIRST DISTRICT  
TALLAHASSEE, FLORIDA

To William Kendrick, Hearing Officer, Division Of Administrative Hearings

WHEREAS, in that certain cause filed in this Court styled:

PLANTATION GENERAL  
HOSPITAL ET AL.

Case No : 1D04-356

v.

Lower Tribunal Case No : 00-4406N

BASSAM ABIFARAJ AND  
RAYYA ABIFARAJ ETC., ETAL

The attached opinion was issued on May 17, 2004.

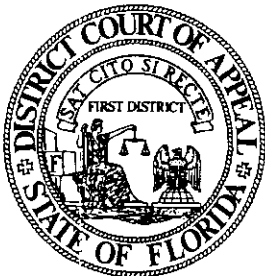
YOU ARE HEREBY COMMANDED that further proceedings, if required, be had in accordance with said opinion, the rules of Court, and the laws of the State of Florida.

WITNESS the Honorable JAMES R. WOLF, Chief Judge

of the District Court of Appeal of Florida, First District,

and the Seal of said Court done at Tallahassee, Florida,

on this 2nd day of June 2004.



*Jon S. Wheeler*  
\_\_\_\_\_  
JON S. WHEELER, Clerk  
District Court of Appeal of Florida, First District

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

PLANTATION GENERAL  
HOSPITAL and FLORIDA  
B I R T H - R E L A T E D  
NEUROLOGICAL INJURY  
COMPENSATION ASSOC.,

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

CASE NO. 1D04-0356

Appellants,

v.

BASSAM ABIFARAJ and  
RAYYA ABIFARAJ, on Behalf of  
and as Parents and Natural  
Guardians of SAMER ABIFARAJ,  
a Deceased Minor; JOHN L.  
RINELLA, M.D., and RINELLA,  
HUDANICH, GREENBERG,  
RALPH & SIJIN, P.A.; JOAQUIN  
TARANCO, M.D., AND  
TARANCO & ASSOCIATES  
ANESTHESIOLOGY GROUP,  
P.A., d/b/a PLANTATION  
TAMARAC ANESTHESIA  
GROUP, P.A.,

Appellees.



CLERK OF DISTRICT COURT OF APPEAL, FIRST DISTRICT  
ON JUN-3 PM 1:06

I CERTIFY THE ABOVE  
TO BE A TRUE COPY  
*Jon S. Wheeler* Deputy  
JON S. WHEELER  
CLERK DISTRICT COURT OF  
APPEAL, FIRST DISTRICT

Opinion filed May 17, 2004.

An appeal from the Division of Administrative Hearings.

John W. Mauro and Hal Anderson of Billing, Cochran, Heath, Lyles & Mauro, Ft. Lauderdale, for appellant Plantation General Hospital; Wilbur E. Brewton and Kelly B. Plante of Roetzel & Andress, L.P.A., Tallahassee; W. Douglas Moody of

Myers & Fuller, Tallahassee, and Kenny Shipley, Tallahassee, for appellant Florida Birth-Related Neurological Injury Compensation Association.

Mayer Gattegno and Barbara Green, Coral Springs, for appellees Bassam and Rayya Abifaraj; Nancy W. Gregoire of Bunnell, Woulfe, Kirschbaum, Keller, McIntyre & Gregoire, P.A., Ft. Lauderdale, for appellees John L. Rinnella and Rinella, Hudanich, Greenbert, Ralph & Sijin, P.A.; Darlene Stosik, Esther E. Galicia and Liana Silsby of George, Hartz, Lundeen, Fulmer, et al, Ft. Lauderdale, for appellees Taranco and Taranco & Associates.

PER CURIAM.

Upon consideration of the parties' responses to the Court's order of March 22, 2004, the Court has determined that this appeal is duplicative of the appeal in case number 1D03-4344. Accordingly, the appeal is hereby dismissed. In light of the dismissal, the appellees/cross-appellants, Bassam and Rayya Abifaraj's, motion to consolidate for all purposes, filed on February 19, 2004, is hereby denied as moot.

BARFIELD, DAVIS and POLSTON, JJ., CONCUR.