

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

Case No. 2017-26846 CA 01
Judicial Section: DIV 04

LAW OFFICES OF SCOTT A.
FERRIS, P.A., a Professional
Association,

Plaintiff,

vs.

MILENIA LOPEZ, individually, and
NOEL LOPEZ, individually,

Defendants.

2019 APR 30 AM 9:40
PROPERTY & FINANCIAL SERVICES
CLERK OF COURT

AMENDED FINAL JUDGMENT

THIS CAUSE, having come before the Court upon Non-Jury Trial, having considered all of the evidence presented at trial, the procedural history, argument of counsel, and all relevant legal authority, the Court hereby **ORDERS** and **ADJUDGES** as follows:

1. As the greater weight of the evidence demonstrated that Defendant, Noel Lopez, stopped payment on the \$1,500.00 check he wrote to Plaintiff, the Law Offices of Scott Ferris, in order to satisfy the outstanding balance owed for legal services rendered to Co-Defendant Milenia Lopez, with the intent to defraud, Plaintiff is entitled to the entry of final judgment on Count VI of Plaintiff's Complaint for Damages. See § 68.065(3)(a), Fla. Stat. ("[W]here the maker or drawer stops payment on the instrument with intent to defraud, . . . the maker or drawer is liable to the payee, . . . for damages of triple amount so owing."); see also Sanders Farm of Ocala, Inc. v. Bay Area Truck Sales, Inc., 235 So. 3d 1010 (Fla. 2d DCA 2017); Baggett v. Clark, 161 So. 3d 491 (Fla. 5th DCA 2014); Maung v. Nat'l Stamping, LLC, 842 So. 2d 214 (Fla. 3d DCA 2003).

2. The evidence was insufficient to sustain the remaining causes of action. Thus, Counts IV and V are hereby **INVOLUNTARILY DISMISSED**.

It is further ~~ORDERED~~ and ~~ADJUDGED~~ that Plaintiff, Law Offices of Scott A. Ferris, P.A., whose address is 255 Alhambra Circle, Suite 700, Alhambra International Plaza, Coral Gables, Florida 33134, recover from Defendant, NOEL LOPEZ, whose address is 13175 Southwest 11th Lane Circle, Miami, FL 33184, the sum of \$6,000.00, that shall bear interest at the rate, of 6.57% per year, for which let execution issue.

Defendant NOEL LOPEZ shall complete, under oath, Florida Rule of Civil Procedure Form 1.977 (Fact Information Sheet), including all required attachments and serve it upon LAW OFFICES OF SCOTT A. FERRIS, P.A. within 45 days of the date of this Amended Final Judgment, unless the Amended Final Judgment is satisfied in full within 45 days.

The Court retains jurisdiction to enforce the terms of this judgment, including the entry of orders in aid of execution and collection, and to award prejudgment interest, attorney's fees, and costs.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida this 25th day of April 2019.



THE HONORABLE BRONWYN C. MILLER
Acting Circuit Court Judge

Copies to all counsel of record on the service list below.