

IN THE SUPREME COURT  
OF FLORIDA

\_\_\_\_\_  
CASE NO. 74,653  
\_\_\_\_\_

**FILED**

SID J. WHITE

OCT 12 1980

CLERK, SUPREME COURT

By \_\_\_\_\_  
Deputy Clerk

*pb*

AMERICAN UNITED INSURANCE COMPANY,

Petitioner,

vs .

THOMAS J. RYAN,

Respondent.

\_\_\_\_\_  
ON APPEAL FROM THE DISTRICT COURT OF APPEAL  
OF FLORIDA, FOURTH DISTRICT

\_\_\_\_\_  
RESPONDENT'S BRIEF ON THE MERITS  
\_\_\_\_\_

✓  
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Attorneys for Respondent

TABLE OF CONTENTS

TABLE OF CITATIONS	ii
ISSUE	1
WHETHER THE FOURTH DISTRICT WAS CORRECT IN HOLDING THAT THE \$10,000 POLICY LIMITS WERE AVAILABLE FOR PIP COVERAGE WHERE THE INSURED SELECTED A \$2,000 DEDUCTIBLE.	
STATEMENT OF THE CASE AND FACTS	1
CONCLUSION	1
CERTIFICATE OF SERVICE	2

TABLE OF CITATIONS

International Bankers Insurance Co. v. Arnone,  
Case Number 73,488 Fourth District

1

**ISSUE**

WHETHER THE FOURTH DISTRICT WAS CORRECT IN HOLDING THAT THE \$10,000 POLICY LIMITS WERE AVAILABLE FOR PIP COVERAGE WHERE THE INSURED SELECTED A \$2,000 DEDUCTIBLE.

**STATEMENT OF THE CASE AND FACTS**

The issues in this case are identical to those previously argued before this court in **International Bankers Insurance Co. v. Arnone**, Case Number 73,488 and Respondent hereby adopts each and every argument raised by the Respondent in that case.

**CONCLUSION**

This Court should uphold the decision by the Fourth District in the present case.

Respectfully submitted,

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By: 

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CERTIFICATE OF SERVICE

■ HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this 6<sup>th</sup> day of October, 1989, to: Bambi Blum, Esquire, DANIELS & HICKS, P.A., Attorney for Petitioner, Suite 2400, New World Tower, 100 North Biscayne Boulevard, Miami, Florida 33132.

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