



901 So.2d 1020  
901 So.2d 1020, 30 Fla. L. Weekly D1268  
(Cite as: 901 So.2d 1020)

**C**  
Castin v. Florida Dept. Of Agriculture and Consumer Services  
Fla.App. 4 Dist.,2005.

District Court of Appeal of Florida,Fourth District.  
Marcel CASTIN and Carl Wesley, et al., Appellants,

v.

**FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**, et al., Appellees.  
**Florida Department of Agriculture**, etc., et al., Appellants,

v.

David **Mendez** and Lillian **Mendez**, et al., Appellees.  
**Nos. 4D04-846, 4D04-1738.**

May 18, 2005.

Consolidated appeals of non-final orders from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Thomas H. Barkdull, III, Judge; L.T. Case Nos. 502002CA005747XXOCAJ and 502002CA013717XXOCAJ.

William J. Moore, III of the Law Office of William J. Moore, III, Jacksonville, Craig P. Kalil of Aballi, Milne, Kalil & Escagedo, P.A., Miami, Barry M. Silver, of Barry M. Silver, P.A., Boca Raton, Malcolm A. Misuraca of Law Office of Malcolm A. Misuraca, Newport Beach, CA, Paul R. Golis of Paul R. Golis, P.A., Boca Raton, and Eric L. Siegel of Henrichsen Siegel, P.L.L.C., Washington D.C., for appellants of case 4D04-846. Jack R. Reiter and Wesley R. Parsons of Adorno & Yoss, P.A., Miami, for appellants of case 4D04-1738.

Robert C. Gilbert of Robert C. Gilbert, P.A., Coral Gables, Michael J. Pucillo of Berman Devalerio Pease Tabacco Burt & Pucillo, LLP, William S. Williams of Lytal, Reiter, Clark, Fountain & Williams, West \*1021 Palm Beach, Joseph H. Serota and Jamie Alan Cole of Weiss Serota Helfman Pastoriza Guedes Cole & Boniske, P.A., Fort Lauderdale, and Ellis Rubin of Law Offices of Ellis Rubin and Robert I. Barrar, Miami, for appellees of case 4D04-1738.

Jack R. Reiter and Wesley R. Parsons of Adorno & Yoss, P.A., Miami, for appellees of case 4D04-846.

PER CURIAM.

These consolidated appeals are from non-final orders, one of which certified a class action and one of which denied certification of a class action. The plaintiffs in both cases seek damages for citrus trees destroyed by the citrus canker eradication program in Palm Beach County. We affirm the order certifying the class in the *Mendez* case (4D04-1738) for the same reasons we affirmed certification in *Florida Department of Agriculture and Consumer Services v. City of Pompano Beach*, 829 So.2d 928 (Fla. 4th DCA), *rev. denied*, 845 So.2d 889 (2003). *See also Patchen v. Florida Department of Agriculture and Consumer Services*, 30 Fla. L. Weekly S241, --- So.2d ---, 2005 WL 856890 (Fla. Apr. 14, 2005).

We also affirm the denial of certification in the *Castin* case (4D04-846). The damages sought in *Castin* include severance damages to the real estate, damages for the fruit provided by the trees, as well as the shade, aroma, blossoms, and ♦other values for which people treasure citrus in Florida. ♦ This would, as found by the trial court, require individual trials for each homeowner. We conclude, as we did in *Execu-Tech Business Systems, Inc. v. Appleton Papers Inc.*, 743 So.2d 19 (Fla. 4th DCA 1999), that the trial court did not abuse its discretion in denying class certification, because the evidence showed no reasonable methodology for generalized proof suitable for a class action.

Affirmed.

POLEN, KLEIN and SHAHOOD, JJ., concur.

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