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The PDF of this week's Update can be read [here](#).

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Cases of interest this week include:

**Campbell-Ewald Co. v. Gomez, --- S.Ct. ----, 2016 WL 228345 (2016).**

An offer of settlement to a named class action plaintiff does not moot the case.

**Brindise v. U.S. Bank, N.A., Case No. 2D14-3316 (Fla. 2d DCA January 20, 2016).**

The giving of notice of the assignment of a debt to a new creditor as required under Florida Statute section 559.715 is not a condition precedent to filing suit on the debt.

**Bryant v. Wells Fargo, Case No. 3D14-78 (Fla. 3d DCA January 20, 2016).**

A post-judgment writ of possession is an appealable non-final order under Florida Rule of Appellate Procedure 9.130 (a)(3)(C)(ii).

**Bank of America v. Cadet, --- So.3d ---- 2016 WL 231890 (Fla. 3d DCA 2016).**

Substantial, not strict, compliance with the condition precedent of Paragraph 22 of the standard mortgage is all that is required under the mortgage.

**Alfonso v. JP Morgan Chase Bank, N.A., Case No. 4D13-4713 (Fla. 4th DCA January 20, 2016).**

A servicer who is not the holder of the note may have standing to commence a foreclosure action, but evidence must be presented demonstrating the real party in interest granted the servicer authority to enforce the note.

**SVI Capital, LLC v. Coon, -- So.3d ----, 2016 WL 231480 (Fla. 4th DCA 2016).**

A mortgagee's submission of an original note and mortgage into evidence in an earlier proceeding satisfies the Best Evidence Rule such that the original note and mortgage need not be reintroduced into evidence in a later deficiency proceeding.

**Kotoura v. Stern, Case No. 4D15-1321 (Fla. 4th DCA January 20, 2016).**

A defendant may commit a tortious act in Florida through telephonic, written or electronic communications sent into Florida, but the cause of action must arise from the communication.