

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Sharon Dresser v. Hal J. Webb

Dresser v. Webb · No. No. 3D24-0056 · Decided November 5, 2025

SUMMARY

The Florida Third District Court of Appeal affirmed the trial court's judgment in favor of Hal J. Webb and related appellees. The per curiam opinion relied on principles concerning ratification of settlements, fraud claims based on adversary statements, summary-judgment findings, defamation privileges and standards, evidentiary balancing, and punitive damages.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Thomas Logue Emass; Miller; Lobree
JURISDICTION	Florida Third District Court of Appeal
DECIDED	November 5, 2025
DOCKET	No. 3D24-0056
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a judgment of the Circuit Court for Miami-Dade County.
STANDARD OF REVIEW	The opinion cites the standards applicable to the sufficiency of clear and convincing evidence and legal determinations concerning defamation, opinion, privilege, and evidentiary admissibility, but does not expressly state a single overall standard of review.
PRECEDENTIAL VALUE	published
PARTIES	Sharon Dresser v. Hal J. Webb, Hal J. Webb, P.A., et al.

TOPICS

- defamation
- evidence
- summary judgment
- appellate procedure
- civil procedure

PRACTICE AREAS

- civil procedure
- appellate procedure
- defamation
- evidence
- punitive damages

QUESTIONS PRESENTED

1. Whether the circuit court's judgment should be affirmed in light of the settlement-ratification, fraud, defamation, evidentiary, and punitive-damages issues raised on appeal.

HOLDINGS

1. The circuit court judgment was affirmed.

KEY QUOTATIONS

“The court may find as a matter of law that where a party accepts the benefits of a settlement or compromise of his case and he knows or in the exercise of due diligence should have known all the facts concerning that settlement (as in the case at bar), he ratifies that settlement by the acceptance of those benefits whether the settlement in the first instance was unauthorized by him or not and he is thereafter estopped to attack the settlement and the judgment entered thereon.” (1)

“The news media has been given a qualified privilege to accurately report on the information they receive from government officials. This privilege includes the broadcast ‘of the contents of an official document, so long as their account is reasonably accurate and fair’, even if the official documents contain erroneous information.” (2)

FACTUAL BACKGROUND

The opinion is a brief per curiam affirmance and does not set out the underlying facts in detail. The cited authorities indicate that the appeal involved alleged acceptance of settlement benefits, fraud claims based on statements by litigation adversaries, alleged defamatory publications, evidentiary objections, and punitive damages.

PROCEDURAL HISTORY

Sharon Dresser appealed a circuit court judgment entered in an action involving settlement ratification, alleged fraud, defamation, evidentiary issues, and punitive damages. The Third District Court of Appeal affirmed the judgment per curiam, citing multiple authorities addressing the issues raised.

DISPOSITION

affirmed

CASES CITED

- Nagymihaly v. Zipes, 353 So. 2d 943, 944 (Fla. 3d DCA 1978)
- Moriber v. Dreiling, 194 So. 3d 369, 373 (Fla. 3d DCA 2016)
- Chevy Chase Sav. and Loan Inc. v. Berkowitz, 601 So. 2d 289, 291 (Fla. 4th DCA 1992)
- Rigmaiden v. NBCUniversal Media, LLC, 307 So. 3d 918, 918 (Fla. 3d DCA 2020)
- Woodard v. Sunbeam Television Corp., 616 So. 2d 501, 502 (Fla. 3d DCA 1993)
- Ortega Trujillo v. Banco Cent. Del Ecuador, 17 F. Supp. 2d 1334, 1338 (S.D. Fla. 1998)
- Vachet v. Cent. Newspapers, Inc., 816 F.2d 313, 316 (7th Cir. 1987)

- Smith v. Taylor County Publ'g Co., Inc., 443 So. 2d 1042, 1044–45 (Fla. 1st DCA 1983)
- Lipsig v. Ramlawi, 760 So. 2d 170, 184 (Fla. 3d DCA 2000)
- Reid v. Est. of Sonder, 63 So. 3d 7, 10 (Fla. 3d DCA 2011)
- Wolfson v. Kirk, 273 So. 2d 774, 776 (Fla. 4th DCA 1973)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed November 5, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D24-0056 Lower Tribunal No. 18-596-CA-01 _____ Sharon Dresser, Appellant, vs. Hal J. Webb, et al., Appellees. An Appeal from the Circuit Court for Miami-Dade County, Lisa S. Walsh, Judge.

Kula & Associates, P.A., Elliot B. Kula, W. Aaron Daniel, and Elaine D. Walter, for appellant. Richard and Richard, P.A., and Dennis A. Richard, Robert J. Alwine and Kevin Shohat, for appellees Hal J. Webb and Hal J. Webb, P.A.

Before EMAS, MILLER, and LOBREE, JJ. PER CURIAM. Affirmed. See Nagymihaly v. Zipes, 353 So. 2d 943, 944 (Fla. 3d DCA 1978) (“The court may find as a matter of law that where a party accepts the benefits of a settlement or compromise of his case and he knows or in the exercise of due diligence should have known all the facts concerning that settlement (as in the case at bar), he ratifies that settlement by the acceptance of those benefits whether the settlement in the first instance was unauthorized by him or not and he is thereafter estopped to attack the settlement and the judgment entered thereon.”); Moriber v. Dreiling, 194 So.

3d 369, 373 (Fla. 3d DCA 2016) (“[A]s a matter of law, a plaintiff may not rely on statements made by litigation adversaries to establish fraud claims.”); Chevy Chase Sav. and Loan Inc. v. Berkowitz, 601 So. 2d 289, 291 (Fla. 4th DCA 1992) (“Florida Rule of Civil Procedure 1.510(d) provides that uncontroverted facts specified in a summary judgment will be deemed established for the balance of the case.”); Rigmaiden v. NBCUniversal Media, LLC, 307 So.

3d 918, 918 (Fla. 3d DCA 2020) (“The news media has been given a qualified privilege to accurately report on the information they receive from government officials. This privilege includes the broadcast ‘of the contents of an official document, so long as their account is reasonably accurate and fair’, even if the official documents contain erroneous information.” (emphasis added)) (quoting Woodard v. Sunbeam Television 2 Corp., 616 So.

2d 501, 502 (Fla. 3d DCA 1993)); Ortega Trujillo v. Banco Cent. Del Ecuador, 17 F. Supp. 2d 1334, 1338 (S.D. Fla. 1998) (“Florida courts have refused to define parties making defamatory statements later reported by news outlets as media in and of themselves.”); Vachet v. Cent. Newspapers, Inc., 816 F.2d 313, 316 (7th Cir. 1987) (“The ‘gist’ or ‘sting’ of the alleged

defamation means the heart of the matter in question—the hurtfulness of the utterance.”); *Smith v. Taylor County Publ’g Co., Inc.*, 443 So.

2d 1042, 1044–45 (Fla. 1st DCA 1983) (“Whether alleged libelous statements are pure expressions of opinion or not is for the court to decide as a matter of law.”); *Lipsig v. Ramlawi*, 760 So. 2d 170, 184 (Fla. 3d DCA 2000) (“[A] speaker cannot invoke a ‘pure opinion’ defense, if the facts underlying the opinion are false or inaccurately presented.”); § 90.403, Fla. Stat. (2020) (“[E]vidence is inadmissible if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of issues, misleading the jury....”); *Reid v. Est. of Sonder*, 63 So.

3d 7, 10 (Fla. 3d DCA 2011) (“In civil cases prosecuted under [the clear and convincing evidence] standard, ‘an appellate court may not overturn a trial court’s finding regarding the sufficiency of the evidence unless the finding is unsupported by record evidence, or as a matter of law, no one could reasonably find such evidence to be clear and convincing.’” (citation omitted)); *Wolfson v. Kirk*, 3 273 So.

2d 774, 776 (Fla. 4th DCA 1973) (“[S]ome statements are so obviously defamatory, that is damaging to reputation, that the mere publication of them gives rise to an absolute presumption both of malice and damage.”); § 768.73(1)(c), Fla. Stat. (“Where the fact finder determines that at the time of injury the defendant had a specific intent to harm the claimant and determines that the defendant’s conduct did in fact harm the claimant, there shall be no cap on punitive damages.”).