

FIRST DISTRICT COURT OF APPEAL OF FLORIDA

Escambia County, Florida v. Whitesell-Green/Caddell JV, LLC, DLR Group, Inc.

No. 1D2024-1373 · No. No. 1D2024-1373 · Decided January 28, 2026

SUMMARY

The Florida First District Court of Appeal affirmed summary final judgment in favor of DLR Group, Inc. in Escambia County’s action involving the applicable professional standard of care for a design criteria professional under section 287.055(2)(k), Florida Statutes (2022). The court concluded that Escambia County failed to raise a material issue of fact showing that DLR Group breached the applicable standard of care.

CASE DETAILS

COURT	First District Court of Appeal of Florida
WRITING FOR THE COURT	Rowe, J.; Nordby, J.; Bilbrey, J.
JURISDICTION	Florida First District Court of Appeal
DECIDED	January 28, 2026
DOCKET	No. 1D2024-1373
DISPOSITION	affirmed
PROCEDURAL POSTURE	Escambia County appealed the circuit court's grant of summary final judgment in favor of DLR Group, Inc.
PRECEDENTIAL VALUE	published
PARTIES	Escambia County, Florida v. Whitesell-Green/Caddell JV, LLC, DLR Group, Inc.

TOPICS

- construction law
- government contracts
- commercial litigation
- appellate procedure

PRACTICE AREAS

- construction law
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QUESTIONS PRESENTED

1. Whether the circuit court properly granted summary final judgment to DLR Group, Inc. where the applicable professional standard of care was that of a design criteria professional under section 287.055(2)(k), Florida Statutes (2022), and the appellant failed to identify a material issue of fact showing breach.

HOLDINGS

1. The circuit court's grant of summary final judgment for DLR Group, Inc. was affirmed.

KEY QUOTATIONS

“Because the trial court correctly concluded that the professional standard of care that applied to all of Appellant’s causes of action was that of a design criteria professional under section 287.055(2)(k), Florida Statutes (2022), and Appellant did not raise a material issue of fact to show how that standard was breached, we are correct to affirm the grant of summary final judgment for the Appellee/third-party defendant, DLR Group, Inc.” (2)

FACTUAL BACKGROUND

The case concerned Escambia County's causes of action against DLR Group, Inc. The trial court determined that the applicable professional standard of care for all of the County's causes of action was the standard governing a design criteria professional under section 287.055(2)(k), Florida Statutes (2022). The County did not raise a material issue of fact showing that DLR breached that standard.

PROCEDURAL HISTORY

The Circuit Court for Escambia County entered summary final judgment for DLR Group, Inc. On appeal, the First District Court of Appeal affirmed. Judge Bilbrey concurred separately, stating that the trial court correctly applied the professional standard of care for a design criteria professional and that Escambia County failed to show a material issue of fact concerning breach.

DISPOSITION

affirmed

OPINION

Escambia County, Florida v. Whitesell-Green/Caddell JV, LLC, DLR Group, Inc.

PER CURIAM.

FIRST DISTRICT COURT OF APPEAL

STATE OF FLORIDA

_____ No. 1D2024-1373 _____

ESCAMBIA COUNTY, FLORIDA,

Appellant, v.

WHITESELL-GREEN/CADDELL JV,

LLC, a Florida Limited Liability Company, DLR GROUP, INC., Appellees.
_____ On appeal from the Circuit Court for Escambia County. John
T. Brown, Judge. January 28, 2026 PER CURIAM. AFFIRMED. ROWE and NORDBY, JJ.,
concur; BILBREY, J., concurs with opinion. _____ Not final until
disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.
_____ BILBREY, J., concurring. Because the trial court correctly
concluded that the professional standard of care that applied to all of Appellant's causes of action
was that of a design criteria professional under section 287.055(2)(k), Florida Statutes (2022), and
Appellant did not raise a material issue of fact to show how that standard was breached, we are
correct to affirm the grant of summary final judgment for the Appellee/third-party defendant, DLR
Group, Inc. _____ Therese A. Savona of Cole, Scott & Kissane,
P.A., Orlando, for Appellant. Kristina L. Marsh of Gordon Rees Scully Mansukhani, Tampa; Stacy
L. Moon of Gordon Rees Scully Mansukhani, pro hac vice, Birmingham, AL, for Appellee DLR
Group, Inc. 2