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**FLORIDA LAW WEEKLY**  
Week of March 11, 2011

**TEMPORARY PARTIAL DISABILITY**

Aisha Van Dyke v. Matrix Employee Leasing and FWCIGA/First Commercial Insurance Company, 36 Fla. L. Weekly D472 (Fla. 1st DCA March 2, 2011)

The First District Court of Appeals reversed and remanded the issue of temporary partial disability benefits for a specific period of time so that the Judge of Compensation Claims could properly evaluate entitlement based on *Wyeth/Pharma Field Sales v. Toscano*, 40 So. 3d 795, 799 (Fla. 1st DCA 2010).

**JURISDICTION**

James Owens v. CCJ Auto Transport and Fleet Car Carriers and Pinnacol Assurance and Argonaut Insurance, 36 Fla. L. Weekly D473 (Fla. 1st DCA March 2, 2011)

The First District Court of Appeals reversed and remanded the JCC finding that it lacked jurisdiction over the claimant's claim. The 1<sup>st</sup> DCA concluded that the claimant's contract of employment was formed while the claimant was residing in Florida and the claimant's acceptance of the employer's offer occurred in Florida.

While claimant's work was to be performed mostly outside of Florida, because the last act necessary to form the contract occurred in Florida, the Judge of Compensation Claims did not lack jurisdiction.

**PERMANENT TOTAL DISABILITY**

Cindy Langevin v. First Union National Bank and ACE/ESIS, 36 Fla. L. Weekly D492 (Fla. 1st DCA March 3, 2011).

The First District Court of Appeals affirmed the JCC's denial of permanent total disability benefits where claimant failed to satisfy the five-step sequential inquiry used to establish catastrophic injury under section 440.15(1)(b), Florida Statutes.