

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA  
CIVIL DIVISION

DAVID GUZDEK,

CASE NO. CACE16018819

Plaintiff(s),

vs.

PROGRESSIVE AMERICAN  
INSURANCE COMPANY,

Defendant(s).

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**ORDER ON PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT/  
ORDER ON DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

This matter came before the Court on October 9, 2017 for re-hearing on Plaintiff, DAVID GUZDEK'S, Motion for Summary Judgment, and on Defendant PROGRESSIVE AMERICAN INSURANCE COMPANY'S Motion for Summary Judgment and the Court, having heard argument from counsel, and being otherwise duly advised in the premises, finds as follows: /

Counsel for both sides made very well-reasoned, professional arguments on behalf of their clients. At issue was whether the insurance policy relating to David Guzdek (Progressive American Insurance Company Policy, bearing Policy No. 20765657) was ambiguous as to him being a named insured, and whether he was entitled to uninsured motorist benefits. The court carefully considered the policy and the declarations page provided. It is this court's opinion that the insurance policy is not ambiguous and, therefore, plaintiff is not a named insured. As a result, therefore, the uninsured motorist rejection signed by the Named Insured, Gary Sebert, on September 6, 2011, is binding

on Plaintiff such that Plaintiff is not entitled to uninsured motorist benefits as a result of the accident of July 19, 2016.

Accordingly, it is hereby

ORDERED and ADJUDGED that the Plaintiff's Motion for Summary Judgment is DENIED and Defendant's Motion for Summary Judgment is hereby GRANTED.

DONE AND ORDERED in Chambers, at Fort Lauderdale, Broward County, Florida on this 15<sup>th</sup> day of November, 2017.



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Raag Singhal  
CIRCUIT COURT JUDGE

*Copies furnished to:*

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