



# Supreme Court of Florida

## Oral Argument Press Summaries March 6 - 7, 2018

**Tuesday, March 6**

Richard Delisle v. Crane Co., et al., [SC16-2182](#)  
Broward County – starts about 9:00 a.m.

Mr. Delisle was diagnosed with mesothelioma and sued Crane Co. and others alleging they were liable for exposing him to toxic amounts of asbestos. After the case began but before trial, state lawmakers amended the statute that applied to the admission of scientific opinion evidence. On appeal, the companies argued the trial court erred in applying the amended statute to expert witness testimony. The Fourth District Court of Appeal agreed that testimony should have been excluded. Mr. Delisle asks this Court to determine the correct standard for the admissibility of expert opinion.

## **Wednesday, March 7**

### In Re: Standard Criminal Jury Instructions in Capital Cases, [SC17-583](#)

Statewide – starts about 9:00 a.m.

In April 2017, this Court authorized interim jury instructions in death penalty cases and sought comments from the Supreme Court Committee on Standard Jury Instructions in Criminal Cases and other interested parties. Issues raised from comments received will be discussed.

### Kfir Baranes, etc., et al. v. Element Financial Corp., et al., [SC17-1084](#)

Palm Beach County – starts about 10:00 a.m.

Element Financial Corp. sued Mr. Baranes, who purchased three Bobcat tractors from a man whose company defaulted on its loans on the Bobcats financed by Element Financial in California. The trial court ruled that Mr. Baranes was a lawful purchaser and that no liens existed on the Bobcats in Florida. The Fourth District Court of Appeal reversed the trial court's decision. Mr. Baranes asks this Court to reinstate the trial court's decision, alleging the Fourth District's opinion conflicts with other appellate court decisions.

--10 minute break--

### U'Dreka Andrews v. State, [SC17-1034](#)

Starts about 10:50 a.m.

During resentencing for first-degree murder, Ms. Andrews, represented by pro bono counsel, asked the trial court for a hearing without the state of Florida present to discuss the appointment of expert witnesses and investigators. The hearing without the prosecution was requested to avoid revealing privileged information. The trial court denied the motion. On appeal, Ms. Andrews argued that defendants represented by the Public Defender's Office or private counsel would not be required to divulge such details to the prosecution. The First District Court of Appeal denied the petition but certified a question of great public importance to this Court.

### Gabriel Brian Nock v. State, [SC17-472](#)

Broward County – starts about 11:30 a.m.

Mr. Nock was sentenced to life in prison after being convicted of the first-degree murder of Larry Ellison who died of strangulation in 2009. Mr. Nock argues that his trial was unfair because the state did not show the entire videotaped recording of his police statement to the jury and because the state informed the jury of his prior felonies. The state argues that Mr. Nock had the opportunity to present the video during his portion of the trial and that the jury was properly informed of his prior felonies. The Fourth District Court of Appeal upheld Mr. Nock's conviction and certified conflict with the Second District Court of Appeal.