

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR LAKE COUNTY, FLORIDA
CIVIL DIVISION**

DIXIE KIST,
Plaintiff,

Case No: 2024-CA-943

v.

SOUTHERN-OWNERS INSURANCE
COMPANY,
Defendant.

**ORDER ON DEFENDANT’S RENEWED FIRST MOTION IN LIMINE REGARDING
ADMISSIBLE EVIDENCE OF PAST AND FUTURE EXPENSES FOR MEDICAL
TREATMENT OR SERVICES**

THIS MATTER came before the Court for hearing on September 16, 2025, on Defendant, Southern Owners Insurance Company’s Renewed First Motion in Limine Regarding Admissible Evidence of Past and Future Medical Expenses for Medical Treatment or Services (The Motion and Notice of Hearing thereon were both filed July 25, 2025). The Court having reviewed the Motion, Memoranda and arguments of counsel, it is hereby

ORDERED AND ADJUDGED as follows:

1. Florida Statute Section 768.0427(2), provides that the “admissible” evidence of unpaid and future medical expenses “shall include, but is not limited to” a list of evidence, including evidence of health insurance, Medicare reimbursement rates, and “[a]ny evidence of reasonable amounts billed to the claimant” or “[a]ny evidence of reasonable future amounts to be billed to the claimant.”

2. The Court finds that the statute at issue plainly states that the admissible evidence of medical expenses “is not limited to” the listed evidence and allows for “[a]ny evidence” of reasonable amounts billed or to be billed.

3. Therefore, Plaintiff is permitted at trial to present gross medical charges for unpaid past medical expenses and future medical expenses. Defendant is permitted to admit evidence on Medicare's reimbursement rates for past medical expenses and future medical expenses. The parties are to proceed accordingly in their endeavor to have the applicable statute and law applied to this case.

DONE AND ORDERED in Chambers, Tavares, Lake County, Florida, this 24th day of September 2025.



MICHAEL TAKAC
Circuit Court Judge

Copy of the foregoing has been furnished via the Court's e-portal system, which will send an email copy to all counsel of record on this 24th day of September 2025.



Judicial Assistant