

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

DG SPORTS AGENCY, LLC,
Appellant,

v.

**FIRST ROUND MANAGEMENT, LLC, THIAGO ALVES, and MALIK
KAWA,**

Appellees.

No. 4D14-862

[August 26, 2015]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit,
Broward County; John H. Bosman, Judge; L.T. Case No. 10-31641 (03).

Vincent E. Schindler of Vincent E. Schindler, P.A., Fort Lauderdale,
for appellant.

Darren A. Helfner of Helfner Legal, P.L.L.C., Bay Harbor Islands, for
appellee First Round Management, LLC.

LEVINE, J.

We are asked to answer the following question: whether the trial court erred in entering a directed verdict in favor of appellee First Round Management, LLC, regarding liability, where the only issue before the trial court was damages, since a default had already been entered in this case. We find that the trial court erred by entering a directed verdict for appellee, since a default had already been entered against appellee. Appellant had a right to rely on the default entered against appellee, and the trial court should have made a factual determination of the amount of damages, if any, due to the liability already determined by the default. We, thus, reverse and remand.

In June 2008, appellant DG Sports Agency, LLC ("DG"), and Thiago Alves, a mixed martial artist who competes in Ultimate Fighting Championships, entered into an athletic representation agreement. Pursuant to that agreement, DG would "provide advisement, counseling and assistance for Athletic in negotiation, procurement and execution of

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Rosina Ehmann



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