

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2012

TRUDY R. MAERZ AND ERIC S. AVERY, ETC.,

Appellant,

v.

Case No. 5D10-3356

DAIMLER CHRYSLER FINANCIAL TRUST, ET AL.,

Appellee.

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Opinion filed February 3, 2012

Appeal from the Circuit Court
for Seminole County,
Clayton Simmons, Judge.

Fanny Nater, and Alan J. Landerman, of
Alvarez, Sambol & Winthrop, P.A., Orlando,
for Appellant.

Eric W. Neilsen, Michael Buckley and
Lauren S. Curtis, of Buckley, Zinober, &
Curtis, P.A., St. Petersburg, for Appellee.

PER CURIAM

We affirm the Order under review, see Rosado v. DaimlerChrysler Fin. Servs. Trust, 1 So. 3d 1200 (Fla 2d DCA 2000), review granted, No. SC09-390 (Fla. Nov. 9, 2011), and certify the following question as a matter of great public importance:

DOES THE GRAVES AMENDMENT, 49
U.S.C. § 30106, PREEMPT SECTION
324.021(9)(b)1., FLORIDA STATUTES?

AFFIRMED; QUESTION CERTIFIED.

SAWAYA and MONACO, JJ., concur.

GRIFFIN, J., concurs in part and dissents in part, with opinion.

GRIFFIN, J., concurring in part, dissenting in part.

For what it is worth, I agree with Judge Altenbernd's dissent on the preemption issue in the *Rosado* case.