

Real Property and Business Litigation Report

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In Re: Standard Jury Instructions In Civil Cases—Report No. 15-01, Case No. SC15-1275 (Fla. 2016).

The Florida Supreme Court adopts new jury instructions, including new instruction on Failure to Maintain a Record.

Rivera v. Wells Fargo Bank, N.A., --- So.3d ----, 2016 WL 1579076 (Fla. 4th DCA 2016).

E-notes (electronic promissory notes without paper documentation) are enforceable.

Bowmar v. SunTrust Mortgage, Inc., --- So.3d ----, 2016 WL 1600756 (Fla. 5th DCA 2016).

Judgment may not be entered in the name of a party who has assigned or sold the promissory note being foreclosed.

Deutsche Bank Nat. Trust Co. v. Alaqua Property, Case No. 5D14-4326 (Fla. 5th DCA 2016).

Promissory notes are instruments that have independent legal significance and thus are not business records that must meet the Business Records Exception.