

810 So.2d 1006 (Mem)
District Court of Appeal of Florida,
Fourth District.

SEA ESCAPE ENTERTAINMENT, INC., Cruise
Charter, Ltd., Maritime Entertainment, Ltd.,
Belair Financial Services, Inc., and Bayside
Industries, Inc., Petitioners/Appellants,

v.
TROPICAL GAMING, INC.,
Respondent/Appellee.

No. 4D01-4818, 4D01-5095.

|
Feb. 22, 2002.

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Rehearing Denied April 2, 2002.

Consolidated petition for writ of mandamus/prohibition
and appeal of non-final orders from the Circuit Court for
the Seventeenth Judicial Circuit, Broward County;
[Patricia W. Cocalis](#), Judge; L.T. [Case](#) No. 01-7727 Cace
(04).

Attorneys and Law Firms

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Opinion

PER CURIAM.

We grant the petition for writ of mandamus and quash the
circuit court's order of November 16, 2001, which
expanded the powers of the special master beyond any
consent of the petitioner that supported the June 25, 2001
order. See [Novartis Pharms. Corp. v. Carnoto](#), 798
So.2d 22, 23 (Fla. 4th DCA 2001). Our conclusion that
petitioner initially consented to the appointment of the
special master is supported by the absence of any timely
challenge to the order after its entry on June 25, 2001.
One of the problems with the November 16, 2001 order is
that it afforded the special master powers usually
associated with a receiver. The record does not contain
the evidentiary showing required for the appointment of a
receiver. See [Warrington v. First Valley Bank](#), 531 So.2d
986, 987 (Fla. 4th DCA 1988).

[KLEIN, SHAHOOD](#) and [GROSS, JJ.](#), concur.

All Citations

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