



THOMAS J. O'CONNELL v. ELEANOR Z. RABIN

596 So. 2d 1299 (1992) | Cited 0 times | District Court of Appeal of Florida | May 5, 1992

Per Curiam.

Appellant, Thomas J. O'Connell, the president and major stockholder of a corporation, appeals the denial of a motion to intervene in litigation involving the corporation. We reverse.

Where a party, as here, has demonstrated sufficient equities or other special reasons to justify their participation in the proceedings, intervention should be permitted. *Cole v. Glynn*, 397 So.2d 996 (Fla. 4th DCA 1981); see also *Wags Transportation System v. City of Miami Beach*, 88 So.2d 751 (Fla. 1956).

The facts of this case, at this posture, dictate that the trial court abused its discretion in denying appellant's intervention. Concomitantly, we find that equity and the ends of justice require that appellant be permitted to intervene. Accordingly, we reverse and remand.

Reversed and remanded.

GERSTEN and GODERICH, JJ., concur.

Disposition

Reversed and remanded

FERGUSON, Judge (concurring).

I agree that the appellant should have been allowed to intervene because (1) he has a direct interest in the outcome of the litigation which otherwise would not be adequately protected, and (2) his intervention would not delay or disrupt the proceedings or cause a disadvantage to any party. See *Bay Park Towers Condo. Ass'n, Inc. v. H.J. Ross & Assocs.*, 503 So.2d 1333 (Fla. 3d DCA 1987).

