

102k194.24 Particular Actions or Proceedings

102k194.32 k. Contracts. [Most Cited Cases](#)

Under the terms of electric utility's contract with installer of control system for combustion turbine, utility was entitled to attorney fee award for fees incurred in breach of contract suit after installer refused to pay for damage done to turbine from faulty control system.

[13] Costs 102 ⚙️194.32

102 Costs

102VIII Attorney Fees

102k194.24 Particular Actions or Proceedings

102k194.32 k. Contracts. [Most Cited Cases](#)

Trial court in electric utility's breach of contract action against installer of turbine control system did not abuse its discretion in awarding utility attorney fees and expenses under the contract for two attorneys, where the case contained complex legal issues, and it had been ongoing for more than a decade.

[14] Interest 219 ⚙️39(2.6)

219 Interest

219III Time and Computation

219k39 Time from Which Interest Runs in General

al

219k39(2.5) Prejudgment Interest in General

219k39(2.6) k. In General. [Most Cited](#)

Cases

Interest 219 ⚙️39(2.15)

219 Interest

219III Time and Computation

219k39 Time from Which Interest Runs in General

al

219k39(2.5) Prejudgment Interest in General

219k39(2.15) k. Liquidated or Unliquid-

ated Claims in General. [Most Cited Cases](#)

Prejudgment interest may be allowed in those cases where the amount due is liquidated when the claim is originally made, or where the denial of a claim is frivolous or in bad faith.

[15] Interest 219 ⚙️65

219 Interest

219IV Recovery

219k64 Pleading

219k65 k. Allegations as to Interest. [Most Cited Cases](#)

While the rule of civil procedure setting forth general rules of pleading requires that a party assert a demand for prejudgment interest in the appropriate pleading, the rule does not require that a party seeking prejudgment interest must plead the specific date on which the prejudgment interest allegedly is due; overruling *Preferred Risk Mut. Ins. Co. v. Johnson*, 730 So.2d 574, and abrogating *Microtek Med., Inc. v. 3M Co.*, 942 So.2d 122, *Wirtz v. Switzer*, 586 So.2d 775, *Thompson Mach. Commerce Corp. v. Wallace*, 687 So.2d 149, *Simpson v. State Farm Fire & Cas. Co.*, 564 So.2d 1374. Rules Civ.Proc., Rule 8.

[16] Interest 219 ⚙️39(2.30)

219 Interest

219III Time and Computation

219k39 Time from Which Interest Runs in General

219k39(2.5) Prejudgment Interest in General

219k39(2.30) k. Contract and Sales Mat-

ters. [Most Cited Cases](#)

Electric utility's damages became liquidated, as required for an award of prejudgment interest in breach of contract dispute with installer of turbine control system, when utility paid for repairs to turbine that was damaged by faulty control system.

[17] Interest 219 ⚙️65

219 Interest

219IV Recovery

219k64 Pleading

219k65 k. Allegations as to Interest. [Most Cited Cases](#)

Interest 219 ⚙️66

219 Interest

219IV Recovery

219k64 Pleading