

District Court of Appeal of Florida,  
Fourth District.

Bernard WEININGER and Shirley Weininger,  
individually and on behalf of present  
and former members of the Club at Admiral's Cove,  
Inc., Appellants,

v.

The CLUB AT ADMIRAL'S COVE, INC., a Florida  
corporation, Appellee.

**No. 98-0613.**

Sept. 16, 1998.

Appeal of a non-final order from the Circuit Court  
for the Fifteenth Judicial Circuit, Palm Beach  
County; Harold J. Cohen, Judge; L.T. Case No. CL  
95- 1993AH.

George P. Ord of George P. Ord, P.A., Palm Beach,  
for appellants.

Edward A. Marod of Edward A. Marod, P.A., West  
Palm Beach, for appellee.

PER CURIAM.

We affirm the trial court's denial of class  
certification under Florida Rule of Civil Procedure  
1.220(b)(2), the only basis alleged in the appellants'  
amended complaint. The trial court did not err in  
finding that the amendment of the Club's bylaws was  
valid and made declaratory relief unnecessary. *See*  
*Duran v. Credit Bureau of Yuma, Inc.*, 93 F.R.D. 607  
(D.Ariz.1982) (interpreting analogous provision of  
federal class action rule as not authorizing relief  
under similar circumstances).

WARNER, FARMER and KLEIN, JJ., concur.

717 So.2d 163, 23 Fla. L. Weekly D2145

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