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**RETAILING**

**Store wars**

Mall owner sues over Federated's plan to change Burdines in Palm Beach Gardens into home furnishings store

*by Dan Weil*

The owner of The Gardens says Federated Department Stores will violate its mall lease if it transforms Burdines.

Federated announced in May that it's adding Mary's name to the 56 Burdines stores in Florida as of Jan. 30, turning them into Burdines/Mary's. Six Macy's stores in the state will take the same name.

Federated, which is based in Cincinnati, said in November that at the center of the mall, while Burdines anchors the west end on PGA Boulevard less than one mile east of I-95. Forbes/Cohen, which is based in Southfield, Mich., objected and filed suit in Palm Beach Circuit Court on Dec. 4. The mall owner

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**LEGAL REVIEW**

Law firms show a renewed vigor and sustaining interest in sticking with pro bono work

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**MEDICAL MALPRACTICE**

5th DCA clarifies no-fault birth-trauma law

*by Matthew Haggman*

In a ruling that has statewide implications for the business of delivering babies, the 5th District Court of Appeal in Daytona Beach has opened the door a bit wider to medical malpractice lawsuits in cases of birth injuries.

In an 8-2 en banc ruling Friday, the 5th DCA held that the case of a 6-year-old Orlando-area girl named Raven Shoaf, who was left permanently disabled as a result of an allegedly botched delivery, does not fall under the state's no-fault compensation system for birth trauma injuries. That system was created by the 1988 Birth-Related Neurological Injury Compensation Act, otherwise known as NICA. The ruling lets Shoaf's parents proceed with a malpractice suit.

Wilbur E. Brewton, general counsel for the state no-fault system, said the state agreed with the 5th DCA.

Miami lawyer John E. Leighton represented the family of the disabled girl.