

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2007

REGIONS BANK f/k/a UNION PLANTERS BANK, N.A.,
Petitioner,

v.

RALPH GLENDINNING,
Respondent.

No. 4D07-1564

[June 27, 2007]

PER CURIAM.

Regions Bank seeks certiorari review of a trial court order denying its motion to stay proceedings on its complaint for declaratory relief seeking to establish that it had no liability under a letter of credit. We deny the petition.

Trial courts have broad discretion in granting or denying stays of subsequently-filed actions. *See Office Depot, Inc. v. Marsh & McLennan Cos.*, 937 So. 2d 1139, 1140 (Fla. 2006); *REWJB Gas Invs. v. Land O'Sun Realty, Ltd.*, 643 So.2d 1107, 1108 (Fla. 4th DCA 1994). Given this broad discretion, Regions has a heavy burden to demonstrate a departure from the essential requirements of law. A stay requires "substantial similarity of parties and actions." *Sauder v. Rayman*, 800 So. 2d 355, 357 (Fla. 4th DCA 2001).

Regions contends that a related case in the Bahamas justifies a stay in this one. Regions is not a party to the Bahamas case. The Bahamas case is primarily a contract action; the declaratory action concerns the bank's responsibility under a letter of credit. The issues regarding the letter of credit are largely independent of the underlying but separate agreement for the sale of the Bahamas property. *See generally Daiwa Prods., Inc. v. Nationsbank, N.A.*, 885 So. 2d 884, 889 (Fla. 4th DCA 2004); § 675.102(4), Fla. Stat. (2006). The trial court did not abuse its discretion in denying the stay.

GUNTHER, POLEN, and GROSS, JJ. concur.

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Petition for writ of certiorari to the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; David F. Crow, Judge; L.T. Case No. 502005CA003240XXXXMB98.

David S. Garbett of Garbett, Bronstein, Stiphany Allen & Roza, P.A., Miami, for petitioner.

No response required for respondent.

Not final until disposition of timely filed motion for rehearing