

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

CITIZENS PROPERTY INSURANCE)
CORPORATION,)
)
Petitioner,)
)
v.)
)
MARIO DIAMANTOPULOS and ARIE)
DIAMANTOPULOS,)
)
Respondents.)
_____)

Case No. 2D14-1006

Opinion filed October 15, 2014.

Petition for Writ of Certiorari to the Circuit
Court for Pasco County; Stanley R. Mills,
Judge.

Kara Berard Rockenbach and Lauren J.
Smith of Methe & Rockenbach, P.A., West
Palm Beach, for Petitioner.

George A. Vaka and Nancy A. Lauten of
Vaka Law Group; and Joseph E. Burnett
and Marshall Thomas Burnett, Tampa, for
Respondents.

SLEET, Judge.

Citizens Property Insurance Corporation ("Citizens") seeks certiorari
review of the trial court's order sustaining Mario and Arie Diamantopulos' objection to

Citizens' notice of automatic stay on the basis that Citizens waived its right to neutral evaluation. Citizens also seeks a writ of mandamus directing the trial court to stay the proceedings during neutral evaluation. For the reasons expressed in Citizens Property Insurance Corp. v. Trapeo, 136 So. 3d 670 (Fla. 2d DCA 2014), we grant the petition for writ of certiorari and quash the trial court's order to the extent that it prohibits Citizens from invoking the neutral evaluation process. We also grant the petition for writ of mandamus and direct the circuit court to stay the underlying proceedings pending completion of the neutral evaluation process. See Citizens Prop. Ins. Corp. v. King, 39 Fla. L. Weekly D1257 (Fla. 2d DCA June 13, 2014); Citizens Prop. Ins. Corp. v. Bellas, 39 Fla. L. Weekly D1159 (Fla. 2d DCA May 30, 2014); Citizens Prop. Ins. Corp. v. Hanos, 39 Fla. L. Weekly D577 (Fla. 2d DCA Mar. 19, 2014).

Certiorari petition granted; order quashed; mandamus petition granted with directions.

DAVIS, C.J., and WALLACE, J., Concur.