

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2010

WILLIAM LARGE,
Petitioner,

v.

**AQUAMAR S.A.; MOLINOS DEL ECUADOR S.A.; DESARROLLO
INDUSTRIAL BIOACUATICO S.A.; and E.I. DU PONT DE NEMOURS
AND COMPANY,**
Respondents.

No. 4D09-5267

[March 10, 2010]

PER CURIAM.

The petition for writ of certiorari is hereby denied.

GROSS, C.J., and FARMER, J., concur.
WARNER, J., dissents with opinion.

WARNER, J., dissenting.

Petitioner brings for review on certiorari an order entered vacating a stay and entitling the respondents to depose petitioner, a non-party. The order entered makes multiple factual “findings” without having provided the petitioner, a non-party, with the opportunity of an evidentiary hearing to contest the facts found by the court and upon which the stay was lifted. Because of this basic denial of due process, I would grant the petition.

* * *

Petition for writ of certiorari to the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Charles Greene, Judge; L.T. Case Nos. 97-20375 27 and 98-14192 27.

George N. Meros, Jr. and Andy Bardos of GrayRobinson, P.A., Tallahassee, for petitioner.

Joel S. Perwin of Joel S. Perwin, P.A., Miami, and Walter G. Campbell, Jr., Ivan F. Cabrera and Kelley B. Stewart of Krupnick, Campbell, et al., Fort Lauderdale, for respondents Aquamar, S.A. and Desarrollo Industrial Bioacuatico S.A.

Rodolfo Sorondo, Jr. and Christopher N. Bellows of Holland & Knight LLP, Miami, for respondent E.I. Du Pont De Nemours and Company.

Not final until disposition of timely filed motion for rehearing.