

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2009

**JIM ATTERHOLT, INSURANCE COMMISSIONER OF THE
DEPARTMENT OF INSURANCE OF THE STATE OF INDIANA, AS
LIQUIDATOR OF MEDICAL SAVINGS INSURANCE COMPANY,**
Petitioner,

v.

JENNIFER B. CHACE, GREGORY R. CHACE and NANCY SMYTHE, on
behalf of themselves and all others similarly situated,
Respondents.

No. 4D09-658

[June 17, 2009]

PER CURIAM.

We grant the petition for writ of certiorari in part and deny in part. Any further proceedings against Medical Savings Insurance Company, its officers, and employees shall be stayed. The case below shall proceed insofar as it concerns the fraudulent misconduct of the Florida attorneys for Medical Savings. Respondents may continue to pursue discovery on that issue. As to the circuit court's discovery rulings, we find no departure from the essential requirements of law.

GROSS, C.J., FARMER and DAMOORGIAN, JJ., concur.

* * *

Petition for writ of certiorari to the Circuit Court for the Nineteenth Judicial Circuit, Martin County; Elizabeth Metzger and Robert R. Makemson, Judges; L.T. Case No. 03-258 CA.

Shelley H. Leinicke of Wicker, Smith, O'Hara, McCoy & Ford, P.A., Fort Lauderdale, for petitioner.

Bard D. Rockenbach of Burlington & Rockenbach, P.A., West Palm Beach, and Louis Silber of Silber, Valente & Davis, West Palm Beach, for respondents.

Not final until disposition of timely filed motion for rehearing.