

Third District Court of Appeal

State of Florida

Opinion filed February 23, 2022.
Not final until disposition of timely filed motion for rehearing.

No. 3D21-1682
Lower Tribunal No. 18-8930

**Homeowners Choice Property & Casualty Insurance
Company,**
Petitioner,

vs.

Patrick Fraser and Alice Jacobs,
Respondents.

On Petition for Writ of Certiorari from the Circuit Court for Miami-Dade
County, Beatrice Butchko, Judge.

Cole Scott & Kissane, P.A., and Scott A. Cole, for petitioner.

Mintz Truppman, P.A., and Timothy H. Crutchfield and Mark J. Mintz,
for respondents.

Before MILLER, LOBREE and BOKOR, JJ.

PER CURIAM.

Petitioner, Homeowners Choice Property & Casualty Insurance

Company, seeks review of a trial court order to the extent that it compels production of expert reports that were not produced in litigation, which it maintains are otherwise privileged. We dismiss the petition for failure to demonstrate irreparable harm to warrant certiorari relief, because the trial court did not foreclose the ability to assert work product privilege prior to disclosure of the documents. See Damsky v. Univ. of Miami, 152 So. 3d 789, 792 (Fla. 3d DCA 2014); Poston v. Wiggins, 112 So. 3d 783, 786 (Fla. 1st DCA 2013).

Petition dismissed.