

NOT FINAL UNTIL TIME EXPIRES
TO FILE REHEARING MOTION
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM, A.D. 2002

AMERICAN PIONEER LIFE
INSURANCE COMPANY,

Appellant,

vs.

JACOBO GORIN,

Appellee.

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CASE NO. 3D01-2392

LOWER

TRIBUNAL NO. 00-26430

Opinion filed August 14, 2002.

An Appeal from a Non-Final Order from the Circuit Court for
Miami-Dade County, Celeste Hardee Muir, Judge.

Harnett Lesnick & Ripps and Judith A. Ripps (Boca Raton);
Judith H. Hayes, for appellant.

Mintz, Truppman, Clein & Higer and Michael J. Higer; Ver Ploeg
& Lumpkin and Brenton N. Ver Ploeg and Jason S. Mazer, for
appellee.

Before JORGENSON, GODERICH and SHEVIN, JJ.

PER CURIAM.

American Pioneer Life Insurance Company appeals an order
denying its motion to compel arbitration. We reverse on the

authority of Benefit Ass'n Int'l, Inc. v. Mount Sinai Comprehensive Cancer Ctr., 816 So. 2d 164 (Fla. 3d DCA 2002). Gorin's argument as to the McCarran-Ferguson Insurance Regulation Act, 15 U.S.C. §§ 1011 - 1015, is without merit; Gorin failed to "demonstrate that application of the [Federal Arbitration Act] would invalidate, impair, or supercede a particular state law that regulates the business of insurance." American Heritage Life Ins. Co. v. Orr, 2002 WL 1306188 at *4 (5th Cir. June 14, 2002).

Reversed and remanded.