

# Third District Court of Appeal

State of Florida, January Term, A.D. 2009

Opinion filed February 11, 2009.

Not final until disposition of timely filed motion for rehearing.

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No. 3D08-938

Lower Tribunal Nos. 07-136 AP; 07-199 AP

05-666; 05-665

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**American Health & Rehabilitation Center, a/a/o Verillus Toutoute,**  
Petitioner,

vs.

**Affirmative Insurance Company,**  
Respondent.

On Petition for Writ of Certiorari to the Circuit Court for Miami-Dade County, Jeffrey Rosinek, Bertila Soto and John W. Thornton, Jr., Judges.

Lubell & Rosen and Steven L. Lubell, (Ft. Lauderdale), for petitioner.

Rubinton & Laufer and Alicia Lyons Laufer, (Davie), for respondent.

Before WELLS and SHEPHERD, JJ., and SCHWARTZ, Senior Judge.

WELLS, Judge.

American Health & Rehabilitation Center, a health-care provider, seeks certiorari review of a circuit court appellate division decision reversing a county

court directed verdict entered in insurer Affirmative Insurance Company's favor.

Upon consideration of the petition and the response, we deny certiorari relief.

Certiorari denied.