

2019 WL 5328821

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United States Court of Appeals, Eleventh Circuit.

**GOLD COAST PROPERTY  
MANAGEMENT, INC.**, Plaintiff-Appellant,

v.

**CERTAIN UNDERWRITERS AT LLOYDS**,  
LONDON, Indian Harbor Insurance Company,  
General Security Indemnity Company of Arizona,  
**United Specialty Insurance Company**, Lexington  
Insurance Company, et al., Defendants-Appellees.

No. 19-12720-EE

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09/06/2019**Attorneys and Law Firms**

[Shawn Robert Horwick](#), [Craig M. Greene](#), Kramer Green  
Zuckerman Greene & Buchsbaum, PA, Hollywood, FL, [Mark  
J. Mintz](#), [Mark J. Mintz, Esq.](#), [Marshal Evan Mintz](#), Mintz  
Truppman, PA, North Miami, FL, for Plaintiff-Appellant.

[Brian Marcus McKell](#), [Brooke Danielle Oransky](#), Mound  
Cotton Wollan & Greengrass, Fort Lauderdale, FL, [Craig R.  
Rygiel](#), Mound Cotton Wollan & Greengrass, LLP, Florham  
Park, NJ, for Defendants-Appellees.

[William D. Wilson](#), Mound Cotton Wollan & Greengrass,  
LLP, Florham Park, NJ, for Plaintiff-Appellant and  
Defendants-Appellees.

Appeal from the United States District Court for the Southern  
District of Florida

Before: [MARCUS](#), [MARTIN](#) and [GRANT](#), Circuit Judges.

**Opinion**

BY THE COURT:

\*1 This appeal is DISMISSED, *sua sponte*, for lack of jurisdiction. The district court's June 14, 2019 order granting the motion to compel arbitration and stay the proceedings and denying the motion to remand to the state court is not a final and appealable order, and we therefore lack jurisdiction over this appeal. See 9 U.S.C. § 16(a)(3), (b)(1)-(3) (providing for appeals from final decisions with respect to arbitration and stating that an appeal may not be taken from an interlocutory order staying an action pending arbitration, directing arbitration to proceed, or compelling arbitration, absent certification under 28 U.S.C. § 1292(b)); *Hill v. Rent-A-Center, Inc.*, 398 F.3d 1286, 1288 (11th Cir. 2005) (stating that a district court's decision compelling arbitration is appealable when it disposes of the entire case and leaves no part pending before it); *Woodard v. STP Corp.*, 170 F.3d 1043, 1044 (11th Cir. 1999) (explaining that the denial of a motion to remand is an interlocutory order and is reviewable only after final judgment or upon certification under § 1292(b)); *Am. Express Fin. Advisors, Inc. v. Makarewicz*, 122 F.3d 936, 939 (11th Cir. 1997) (dismissing appeal of order compelling arbitration, staying proceedings, and administratively closing the case); see also *Green Tree Fin. Corp.-Ala. v. Randolph*, 531 U.S. 79, 86, 87 n.2 (2000) (concluding that § 16(a)(3) uses the same concept of finality as 28 U.S.C. § 1291 and noting that if the district court had entered a stay rather than a dismissal, the order would not be appealable, per 9 U.S.C. § 16(b)(1)).

All pending motions are DENIED as moot. No motion for reconsideration may be filed unless it complies with the timing and other requirements of 11th Cir. R. 27-2 and all other applicable rules.

**All Citations**

Not Reported in Fed. Rptr., 2019 WL 5328821