FLORIDA THIRD DISTRICT COURT OF APPEAL

Sasha Investments LLC v. Staghorn Development, LLC

No. 3D25-2231 · No. No. 3D25-2231 · Decided June 10, 2026

SUMMARY

The Florida Third District Court of Appeal granted Sasha Investments LLC's petition for certiorari and quashed orders limiting a judgment creditor's postjudgment discovery from the judgment debtors' former law firm. The court held that the law firm's blanket privilege assertion, combined with the absence of an in-camera review, constituted a departure from the essential requirements of law causing irreparable harm. The court emphasized the broad scope of judgment-creditor discovery concerning debtor assets while recognizing limits against fishing expeditions involving unrelated nonparties.

CASE DETAILS

COURT	Florida Third District Court of Appeal
WRITING FOR THE COURT	Miller, J.; Scales, C.J.; Bokor, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	June 10, 2026
DOCKET	No. 3D25-2231
DISPOSITION	quashed
PROCEDURAL POSTURE	Petition for writ of certiorari challenging lower court orders that limited a judgment creditor's subpoena to a nonparty law firm in aid of execution.
STANDARD OF REVIEW	Certiorari review requires a departure from the essential requirements of law resulting in material injury that cannot be remedied on plenary appeal. The latter two requirements are jurisdictional. Discovery orders involving nonparties may be reviewed by appeal when they fully settle the nonparty's discovery obligations, while certiorari remains available where the required irreparable-harm standard is met.
PRECEDENTIAL VALUE	Published Florida district court of appeal opinion
PARTIES	Sasha Investments LLC v. Staghorn Development, LLC, 452 NLB, LLC, John Lemkey, Mike Mallory, Sokolof Remtulla, LLP

TOPICS

writ of certiorari | discovery dispute | appellate procedure | civil procedure | commercial litigation

PRACTICE AREAS

civil procedure | appellate procedure | judgment enforcement | commercial litigation | attorney-client privilege

QUESTIONS PRESENTED

1. Whether the trial court's restriction of a judgment creditor's subpoena to a nonparty law firm constituted a departure from the essential requirements of law causing irreparable harm.
2. Whether a judgment creditor may obtain postjudgment discovery from a nonparty concerning the judgment debtor's assets and financial transactions.
3. Whether the trial court was required to conduct or provide a procedure for in-camera review of documents claimed to be protected by attorney-client privilege.

HOLDINGS

1. Certiorari jurisdiction existed because the denial of discovery, combined with the absence of an in-camera review and the risk of asset dissipation, caused irreparable harm that could not be remedied on plenary appeal.
2. A judgment creditor may obtain discovery from any person, including a nonparty, concerning assets that may be subject to levy or execution or may have been recently transferred, subject to safeguards against an improper fishing expedition.
3. Asset-related information in a law firm's possession is not automatically protected by the attorney-client privilege, and when a nonparty law firm makes a broad privilege assertion, the trial court must provide a procedure, including in-camera review when appropriate, to determine which documents are actually privileged.

KEY QUOTATIONS

> *"Cases in which irreparable harm has been held to result from the denial of discovery often involve situations in which the evidence to be gleaned, or its equivalent, can be obtained only from the discovery the trial court has denied."* (at 4)

> *"The creditor has the right to discover any assets the debtor might have that could be subject to levy or execution to satisfy the judgment, or assets that the debtor might have recently transferred, including from nonparties."* (at 5-6)

> *"In aid of a judgment, decree, or execution the judgment creditor or the successor in interest, when the interest appears of record, may obtain discovery from any person, including the judgment debtor."* (at 6)

> *"Asset-related information in the possession of a law firm is not automatically shielded by attorney-client privilege."* (at 7)

FACTUAL BACKGROUND

Sasha Investments obtained a default final judgment against Staghorn Development, 452 NLB, John Lemkey, and Mike Mallory after they defaulted on a negotiated settlement. The judgment debtors failed to complete fact information sheets and were held in civil contempt. Sasha subpoenaed the debtors' former law firm for nonprivileged documents concerning bank accounts, property transfers, and other transactions relevant to collection. The law firm asserted a blanket attorney-client privilege without making document-specific objections, and the trial court denied the requested discovery without conducting an in-camera review.

PROCEDURAL HISTORY

Sasha Investments obtained a default final judgment after the defendants defaulted on a settlement agreement. When the judgment debtors failed to complete court-ordered fact information sheets, the trial court held them in civil contempt. Sasha then subpoenaed the debtors' former law firm for nonprivileged documents concerning assets and financial transactions. The trial court restricted production to documents obtained solely in the firm's role as registered agent and denied rehearing. Sasha sought certiorari review, and the Third District granted the petition and quashed the orders.

DISPOSITION

quashed

REMAND INSTRUCTIONS

The challenged discovery orders are quashed. The opinion does not state further detailed remand instructions, but requires the trial court to reconsider the discovery and privilege issues under the governing standards, including appropriate judicial oversight.

CASES CITED

- Reeves v. Fleetwood Homes of Florida, Inc., 889 So. 2d 812, 822 (Fla. 2004)
- Williams v. Oken, 62 So. 3d 1129, 1132 (Fla. 2011)
- Marrero v. Rea, 312 So. 3d 1041, 1048 (Fla. 5th DCA 2021)
- Standard Fire Ins. Co. v. Colonial Med. Ctr., Inc., 335 So. 3d 1283, 1284 (Fla. 5th DCA 2022)
- Dade Truss Co. Inc. v. Beaty, 271 So. 3d 59, 65 (Fla. 3d DCA 2019)
- Valerie A. Lyons, et al. v. Sanford D. Lyons, et al., Lyons v. Lyons, 162 So. 3d 212, 215-216 (Fla. 4th DCA 2015)
- Jim Appley's Tru-Arc, Inc. v. Liquid Extraction Sys. Ltd. P'ship, 526 So. 2d 177, 179 (Fla. 2d DCA 1988)
- Winderting Invs., LLC v. Furnell, 144 So. 3d 598, 602 (Fla. 2d DCA 2014)
- Regions Bank v. MDG Frank Helmerich, LLC, 118 So. 3d 968, 969-970 (Fla. 2d DCA 2013)
- 2245 Venetian Court Bldg. 4, Inc. v. Harrison, 149 So. 3d 1176, 1179 (Fla. 2d DCA 2014)
- Gen. Elec. Cap. Corp. v. Nunziata, 124 So. 3d 940, 942 (Fla. 2d DCA 2013)
- Sweetapple, Broeker & Varkas, P.L. v. Simmons, 151 So. 3d 42, 43 (Fla. 3d DCA 2014)
- Finol v. Finol, 869 So. 2d 666, 666 (Fla. 4th DCA 2004)
- Corry v. Meggs, 498 So. 2d 508, 511 (Fla. 1st DCA 1986)

- State Farm Mut. Auto. Ins. Co. v. Kendrick, 780 So. 2d 231, 233 (Fla. 3d DCA 2001)
