

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

LIFESOUTH COMMUNITY
BLOOD CENTERS, INC.,

Appellant,

v.

CASE NO. 1D06-4475

KAYNAN FITCHNER, as Personal
Representative of the ESTATE of
CHASE FITCHNER, deceased,

Appellees.

Opinion filed December 26, 2007.

An appeal from the Circuit Court for Alachua County.
Robert E. Roundtree, Jr., Judge.

Christine R. Davis of Carlton Fields, P.A., Tallahassee, and Robert E. Biasotti of
Carlton Fields, P.A., St. Petersburg, for Appellant.

Thomas J. Guilday, Catherine B. Chapman, and J. Celeste Burns of Guilday, Tucker,
Schwartz & Simpson, P.A., Tallahassee, for Florida Association of Blood Bank,
Amicus Curiae for Appellant.

Raymond T. Elligett, Jr. and Amy S. Farrior of Buell & Elligett, P.A., Tampa, and
Dean R. LeBoeuf and Rhonda S. Bennett of Brooks, LeBoeuf, Bennett, Foster &
Gwartney, P.A., Tallahassee, for Appellee.

ON MOTION FOR CERTIFICATION AND CLARIFICATION

WOLF, J.

We deny the motion for clarification, but we grant the motion for certification and reword the certification question proposed by appellee.

We hereby certify the following question as being one of great public importance:

DO THE PRESUIT NOTICE REQUIREMENTS OF SECTION 766.106(2), FLORIDA STATUTES, APPLY TO A BLOOD BANK THAT IS SUPPLYING BLOOD TO A PATIENT?

BROWNING, C.J. and POLSTON, J., CONCUR.