

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

OLEN PROPERTIES CORP.,
Appellant,

v.

REBECCA CANCEL,
Appellee.

No. 4D14-1180

[October 7, 2015]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Carol Lisa-Phillips, Judge; L.T. Case No. CACE 05-011951 (25).

Robert Rivas of Sachs Sax Caplan, P.L., Tallahassee, for appellant.

Julie H. Littky-Rubin of Clark, Fountain, La Vista, Prather, Keen & Littky-Rubin, LLP, West Palm Beach, and Marlowe J. Blake of Marlowe J. Blake, P.A., Boca Raton, for appellee.

PER CURIAM.

In this sex discrimination and retaliation case, we reverse the \$700,000 award of non-economic damages as excessive. *See City of Hollywood v. Hogan*, 986 So. 2d 634 (Fla. 4th DCA 2008); *see also* § 768.74(5), Fla. Stat. (2013). We remand for the trial court to determine a remittitur amount, or to order a new trial on non-economic damages if the party adversely affected by the remittitur does not agree to the remitted amount. *See* § 768.74(4), Fla. Stat. (2013).

We affirm on all other issues raised in this appeal.

Affirmed in part, Reversed in part, and Remanded for further proceedings.

GROSS and TAYLOR, JJ, and SHEPHERD, CAROLINE, Associate Judge, concur.

* * *

Not final until disposition of timely filed motion for rehearing.