

Supreme Court of Florida

No. SC01-2598

JENNIFER BACH,
Petitioner,

vs.

UNITED PARCEL SERVICE, INC.,
Respondent.

[December 19, 2002]

PER CURIAM

We have for review the Fourth District Court of Appeal's decision in Bach v. United Parcel Service, Inc., 808 So. 2d 230 (Fla. 4th DCA 2001), which adopted the analysis of the Third District Court of Appeal's decision in Woodham v. Blue Cross & Blue Shield of Florida, Inc., 793 So. 2d 41 (Fla. 3d DCA 2001), quashed, 27 Fla. L. Weekly S834 (Fla. Oct. 10, 2002). We have jurisdiction. See art. V, § 3(b)(3), Fla. Const.; Jollie v. State, 405 So. 2d 418, 420 (Fla. 1981). For the

reasons expressed in our opinion in Woodham v. Blue Cross & Blue Shield of Florida, Inc., 27 Fla. L. Weekly S834 (Fla. Oct. 10, 2002), the decision of the Fourth District is hereby quashed. We remand to the district court for proceedings consistent with this opinion.

It is so ordered.

ANSTEAD, C.J., and SHAW, WELLS, PARIENTE, LEWIS, QUINCE, and CANTERO, JJ., concur.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION, AND IF FILED, DETERMINED.

Application for Review of the Decision of the District Court of Appeal - Direct Conflict

Fourth District - Case No. 4D01-252

(Palm Beach County)

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for Petitioner

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Amicus Curiae

Michael J. Farrell, Supervisory Trial Attorney, EEOC Miami District Office, Miami, Florida; and Susan R. Oxford, Attorney, Equal Employment Opportunity Commission, Washington, D.C.,

for U.S. Equal Employment Opportunity Commission, Amicus Curiae