

Third District Court of Appeal

State of Florida, January Term, A.D. 2013

Opinion filed July 3, 2013.

Not final until disposition of timely filed motion for rehearing.

No. 3D12-2887

Lower Tribunal No. 12-32664

Marlena Blanco,
Appellant,

vs.

**Monique & Me, Inc. d/b/a Culinary Specialty Food and CWF
Warehouse, LLC,**
Appellees.

An Appeal from the Circuit Court for Miami-Dade County, Jacqueline Hogan Scola, Judge.

Remer & Georges-Pierre and Carlo D. Marichal and Anthony M. Georges-Pierre, for appellant.

Weiss Serota Helfman Pastoriza Cole & Boniske and Brett J. Schneider and Eric P. Hockman; Sheppard, Mullin, Richter & Hampton and Jonathan Stoler and Eric Raphan (New York), for appellees.

Before SHEPHERD, C.J., and WELLS and SUAREZ, JJ.

SUAREZ, J.

Marlena Blanco seeks to reverse the trial court's order granting the appellee-defendants', Monique & Me, Inc., d/b/a Culinary Specialty Food and CWF

Warehouse, LLC, motion to dismiss with prejudice. Blanco brought an action against her employers under the Florida Civil Rights Act (FCRA), sections 760.01-11, 509.092, Florida Statutes (2010), after her termination, alleging employment discrimination based on pregnancy. Because the State of Florida has not chosen to include a prohibition against pregnancy-based discrimination under the FCRA, we reluctantly affirm, following this Court's precedent in Delva v. Continental Group, Inc., 96 So. 3d 956 (Fla. 3d DCA 2012), *review granted*, No. SC12-2315 (Fla. May 2, 2013).

Affirmed.

SHEPHERD, C.J., concurs.

WELLS, J., concurs in results only.