

Supreme Court of Florida

No. 67,591

BLUE CROSS AND BLUE SHIELD OF
FLORIDA, INC., Petitioner,

vs.

RYDER TRUCK RENTAL, INC.,
ETC., ET AL., Respondents.

[October 30, 1986]

PER CURIAM.

We have jurisdiction to review Blue Cross and Blue Shield of Florida, Inc. v. Ryder Truck Rental, Inc., 472 So.2d 1373 (Fla. 3d DCA 1985), under article V, section 3(b)(3), Florida Constitution. This cause presents the same issues of law and fact as Blue Cross and Blue Shield of Florida, Inc. v. Matthews, No. 67,598 (Fla. Oct. 16, 1986). The district court below held that Blue Cross had no right of subrogation or indemnification against Ryder. We quash and remand to allow petitioner to replead in light of Matthews.

It is so ordered.

McDONALD, C.J., and ADKINS, BOYD, OVERTON, EHRLICH and SHAW, 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 - Statutory Validity

Third District - Case No. 84-2053

H. Lawrence Hardy of Milton R. Adkins, P.A., Coral Gables, Florida,
for Petitioner

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for Respondents

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for Jack Eckerd Corporation, Amicus Curiae