

# Supreme Court of Florida

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No. 68,732

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

vs.

CITY OF MIAMI, ETC., ET AL., Respondents.

[November 26, 1986]

PER CURIAM.

We have jurisdiction to review Blue Cross and Blue Shield of Florida, Inc. v. City of Miami, et al., 486 So.2d 58 (Fla. 3d DCA 1986), 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). We quash and remand to allow petitioner to replead its cause of action in light of Matthews.

It is so ordered.

McDONALD, C.J., and ADKINS, BOYD, OVERTON, EHRLICH, SHAW and BARKETT, 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. 85-2342

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

Thomas M. Pflaum of Simon, Schindler, Hurst & Sandberg, P.A.,  
Miami, Florida; Richard M. Davis of Dixon, Dixon, Hurst & Nicklaus,  
Miami, Florida; and Claudia B. Greenberg of Marlow, Shofi, Connell,  
DeMahy, Valerius, Abrams, Lowe & Adler, Miami, Florida,

for Respondents