

Supreme Court of Florida

No. 70,814

TERESA CARROLL, Petitioner,

vs.

VOLKSWAGEN OF AMERICA, INC.,
etc., et al., Respondents.

[January 28, 1988]

PER CURIAM.

We review Carroll v. Volkswagen of America, Inc., 508 So.2d 556 (Fla. 4th DCA 1987), to answer two certified questions of great public importance. Art. V, § 3(b)(4), Fla. Const. The certified questions are as follows:

- I. DOES THE SUPREME COURT DECISION IN PULLUM APPLY RETROACTIVELY SO AS TO BAR CAUSES OF ACTION THAT ACCRUED BEFORE THE DATE OF THAT DECISION?
- II. SHOULD THE ABOLITION OF THE 12-YEAR STATUTE OF REPOSE BY THE LEGISLATURE BE CONSTRUED TO OPERATE RETROACTIVELY TO PRESERVE CAUSES OF ACTION THAT ACCRUED PRIOR THERETO?

Id. We recently answered the first question in the affirmative and the second question in the negative in Melendez v. Dreis & Krump Manufacturing Co., 515 So.2d 735 (Fla. 1987). We approve the decision below on the authority of Melendez.

It is so ordered.

McDONALD, C.J., and OVERTON, EHRLICH, SHAW, BARKETT, GRIMES and KOGAN, 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 - Certified Great Public Importance

Fourth District - Case No. 85-2734

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for Respondents