

Supreme Court of Florida

No. 71,106

J. I. CASE COMPANY, etc.,
Petitioner,

vs.

SHEILA HENLEY, etc.,
Respondent.

[January 7, 1988]

PER CURIAM.

We review J. I. Case Co. v. Henley, 510 So.2d 342 (Fla. 3d DCA 1987), to answer a certified question of great public importance. Art. V, § 3(b)(4), Fla. Const. The certified question is as follows:

DOES THE STATUTE OF REPOSE BAR A
WRONGFUL DEATH ACTION WHERE THE DEATH
OCCURRED MORE THAN TWELVE YEARS AFTER
THE ORIGINAL PURCHASE OF THE PRODUCT
WHICH ALLEGEDLY CAUSED THE DEATH?

510 So.2d at 343. We recently answered the question in the affirmative in Pait v. Ford Motor Co., 12 F.L.W. 589 (Fla. Dec. 3, 1987). We quash the decision below on the authority of Pait.

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

Third District - Case No. 86-2999

Christopher Lynch of Adams, Hunter, Angones, Adams, Adams
& McClure, Miami, Florida,

for Petitioner

David W. Bianchi of Stewart, Tilghman, Fox & Bianchi, P.A.,
Miami, Florida,

for Respondent