

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

RUBY L. SCHMIGEL,
Appellant,

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

v.

CASE NO. 1D04-2073

CUMBIE CONCRETE COMPANY,
Appellee.

Opinion filed May 24, 2005.

An appeal from the Circuit Court for Leon County.
Paul Hawkes, Acting Judge.

Marie A. Mattox of Marie A. Mattox, P.A., Tallahassee, for Appellant.

Marsha E. Rule, Harold F.X. Purnell and Martin P. McDonnell of Rutledge, Ecenia,
Purnell & Hoffman, P.A., Tallahassee, for Appellee.

Craig L. Berman of Berman Law Firm, P.A., St. Petersburg, for Amicus Curiae,
National Employment Lawyers Association, Florida Chapter.

PER CURIAM.

AFFIRMED.

ERVIN, PADOVANO and THOMAS, JJ., CONCUR.