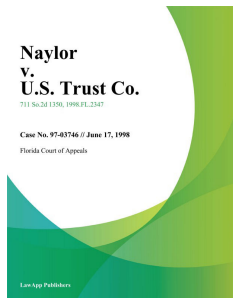


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Author: Florida Court of Appeals

Release Date: Expected @@expectedReleaseDate@@

This appeal involves an age discrimination claim initially filed in federal court, then voluntarily dismissed, and refiled in state court. The issue for our determination is whether the federal supplemental jurisdiction statute, 28 United States Code section 1367(d), tolls a state statute of limitations when the federal action terminates because the plaintiff voluntarily dismisses the case, intending to refile the same claims against the same parties in state court. We conclude that the state statute is tolled for the thirty-day period specified in the federal supplemental jurisdiction act, and reverse the ruling of the lower tribunal.

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