

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2008*

**LIGGETT GROUP, INC.,**  
Appellant,

v.

**BEVERLY DAVIS,**  
Appellee.

No. 4D04-3811

[February 20, 2008]

*ON MOTION FOR CERTIFICATION*

PER CURIAM.

We grant Liggett Group, Inc.'s motion for certification and certify the following as questions of great public importance:

1. Is a plaintiff required to establish an alternative safer design in order to prevail on a design defect claim for an inherently dangerous product?
2. Should Florida adopt the Restatement (Third) of Torts for design defect cases?

WARNER, GROSS, JJ., and SCOLA, JACQUELINE HOGAN, Associate Judge, concur.

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Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; David Krathen, Judge; L.T. Case No. CACE 02-18944 05.

Alvin B. Davis, P.A., of Squire, Sanders & Dempsey, Miami, Kelly A. Luther of Clarke Silverglate & Campbell, P.A., and Aaron H. Marks, Leonard A. Feiwus, and Julie R. Fischer of Kasowitz, Benson, Torres & Friedman, LLP, appellant.

Daniel F. O'Shea and Angel M. Reyes of Reyes, O'Shea & Coloca, P.A.,  
Coral Gables, for appellee.