

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

SUZANNE MCLEOD, as personal
representative of the Estate of
Hansell Bryan Malone III,

Plaintiff,

v.

Case No. 3:09-cv-14246-WGY-HTS

R.J. REYNOLDS TOBACCO COMPANY,
individually and as successor by
merger to the BROWN & WILLIAMSON
TOBACCO CORPORATION and the
AMERICAN TOBACCO COMPANY;
PHILIP MORRIS USA, INC.; and
LORILLARD TOBACCO COMPANY,

Defendants.

January 26, 2015

ORDER

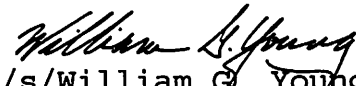
Young, D.J.

This cause is before the Court on Defendants R.J. Reynolds Tobacco Company and Philip Morris USA Inc.'s Motion for Partial Summary Judgment on Plaintiff's Claims for Breach of Express and Implied Warranties ("Motion") (Doc. 16), filed October 1, 2014. Upon review of the Motion, Plaintiff's Response in Opposition to Defendants' Motion for Summary Judgment on Plaintiff's Claims for Breach of Express and Implied Warranties (Doc. 18), filed October 15, 2014, and Plaintiff's Notice Regarding Defendants' Motion for Summary Judgment on Plaintiff's Claims for Breach of Express and Implied Warranties ("Notice") (Doc. 53), it is hereby

ORDERED:

Defendant's Motion is **GRANTED**. In light of Plaintiff's express non-opposition, the Motion is granted as unopposed. See Pl's Notice 1, ECF No. 53 (stating that plaintiff does not intend to pursue her claims for breach of express warranty and breach of implied warranty and withdraws her opposition to defendants' motion).

SO ORDERED.


/s/William G. Young
WILLIAM G. YOUNG
DISTRICT JUDGE

Copies to:

Counsel of Record

¹ Of the District of Massachusetts, sitting by designation.