

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

**YVONNE BANKS,**  
as Personal Representative of the Estate of George Banks,  
Appellant,

v.

**R.J. REYNOLDS TOBACCO COMPANY  
& PHILIP MORRIS USA INC.,**  
Appellees.

No. 4D14-2088

[October 20, 2016]

Appeal and cross-appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Jack Tuter, Judge; L.T. Case No. 08-80000 (19).

Bard D. Rockenbach of Burlington & Rockenbach, P.A., West Palm Beach, and Jonathan R. Gdanski of Schlesinger Law Offices, P.A., Fort Lauderdale, for appellant.

William L. Durham II, Chad A. Peterson, Frank T. Bayuk and Philip R. Green of King & Spalding LLP, Atlanta, Georgia; Andrew S. Brenner of Bois Schiller & Flexner, Miami; Eric L. Lundt and Gordon James III of Sedgwick LLP, Fort Lauderdale; and Geoffrey J. Michael of Arnold & Porter, Washington, D.C., for appellees.

PER CURIAM.

*Affirmed.*

MAY, GERBER and LEVINE, JJ., concur.

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***Not final until disposition of timely filed motion for rehearing.***