

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

STEVEN TOGNOLI, as Personal Representative for the Estate of **LYNDA
TOGNOLI**,
Appellant,

v.

PHILIP MORRIS USA INC.,
Appellee.

No. 4D16-224

[June 28, 2017]

Appeal and cross-appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; John J. Murphy III, Judge; L.T. Case Nos. 08-80000 (19) and 2008-CV-045898 (19).

Thomas J. Seider, Celene H. Humphries and Maegen Peek Luka of Brannock & Humphries, Tampa; Alex Alvarez of The Alvarez Law Firm, Coral Gables; Randy Rosenblum of Dolan, Dobrinsky, Rosenblum, LLP, Miami; Philip Freidin of Freidin Brown P.A., Miami; and Maria P. Sperando of the Law Office of Maria P. Sperando, P.A., Stuart, for appellant.

Scott D. Kaiser of Shook, Hardy & Bacon LLP, Kansas City, Missouri; and Geoffrey J. Michael of Arnold & Porter LLP, Washington, DC, for appellee.

PER CURIAM.

Affirmed. See R.J. Reynolds Tobacco Co. v. Schoeff, 178 So. 3d 487 (Fla. 4th DCA 2015), *review granted*, SC15-2233 (Fla. May 26, 2016).

CIKLIN, C.J., DAMOORGIAN and LEVINE, JJ., concur.

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Not final until disposition of timely filed motion for rehearing.