

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

**MARILYN OSHINSKY-BLACKER**, as Personal Representative  
of the Estate of **DENNIS OSHINSKY**,  
Appellant,

v.

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

No. 4D17-915

[July 19, 2018]

Appeal and cross-appeal from the Circuit Court for the Seventeenth  
Judicial Circuit, Broward County; John Joseph Murphy, III., Judge; L.T.  
Case No. 08-025841 (19).

Jonathan R. Gdanski of Schlesinger Law Offices, P.A., Fort Lauderdale,  
for appellant.

Megan M. Egli of Shook, Hardy & Bacon L.L.P., Kansas City, Missouri,  
and Geoffrey J. Michael of Arnold & Porter Kaye Scholer LLP, Washington,  
D.C., for appellee Philip Morris USA Inc.

William L. Durham II, and Val Leppert of King & Spaulding LLP,  
Atlanta, Georgia, for appellee R.J. Reynolds Tobacco Company.

PER CURIAM.

*Affirmed.*

GROSS, CONNER and KLINGENSMITH, JJ., concur.

\* \* \*

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