

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JANUARY TERM, A.D. 2004

OLGA URIZAR SERRANO, as **
Personal Representative of **
the Estate of MIGUEL SERRANO **
and OLGA URIZAR SERRANO, **
individually, **

 Appellants, **

vs.

** CASE NO. 3D03-1122

PHILIP MORRIS INCORPORATED **
(PHILIP MORRIS U.S.A.); **
R.J. REYNOLDS TOBACCO **
COMPANY; BROWN & WILLIAMSON **
TOBACCO CORPORATION, **
Individually and as Successor **
of the AMERICAN TOBACCO **
COMPANY; LORILLARD TOBACCO **
COMPANY; LORILLARD, INC. **
LIGGETT GROUP, INC. f/k/a **
LIGGETT & MYERS TOBACCO CO.; **
BROOKE GROUP, LTD., a/k/a **
BROOKE GROUP HOLDING, INC. **
and LIGGETT VECTOR BRANDS, **
INC., **

LOWER
TRIBUNAL NO. 02-19609

Appellees. **

Opinion filed February 4, 2004.

An Appeal from the Circuit Court for Dade County, Jon I. Gordon, Judge.

Coffey & Wright and Kendall Coffey and Mark A. Journey, for appellants.

Carlton Fields and Douglas J. Chumbley, for appellees.
Before SCHWARTZ, C.J., and GREEN and SHEPHERD, JJ.

PER CURIAM.

Upon the agreement of the parties, the order below is vacated and the cause remanded for further proceedings consistent with *Liggett Group, Inc. v. Engle*, 853 So. 2d 434 (Fla. 3d DCA 2003).