

IN THE DISTRICT COURT OF APPEAL
THIRD DISTRICT
SC03-1856
CASE NO. 3D00-3400

2003 OCT 27 P 2:47

CONSOLIDATED: 3D00-3206 3D00-3210
3D00-3207 3D00-3212
3D00-3208 3D00-3215

Debra Caussey

HOWARD A. ENGLE, M.D., ROBERT W.
ANGELL, RAYMOND LACEY, FROSENE
D. STEEVENS, FRANK AMODEO, MARY
FARNAN, LOREN E. LOWERY, RALPH
DELLA VECCHIA as Personal Representative
of the Estate of ANGIE DELLA VECCHIA,
deceased and MICHAEL MATYI, on behalf of
themselves and all others similarly situated;

Plaintiffs/Petitioners,

v.

LIGGETT GROUP, INC.; BROOKE GROUP, LTD.;
PHILIP MORRIS INCORPORATED; RJ REYNOLDS
TOBACCO COMPANY; LORILLARD TOBACCO
COMPANY, LORILLARD, INC.; BROWN &
WILLIAMSON TOBACCO CORP., individually and as
Successor by merger to the American Tobacco Company,
COUNCIL FOR TOBACCO RESEARCH U.S.A., INC.
and TOBACCO INSTITUTE, INC.,

Defendants/Respondents.

NOTICE TO INVOKE DISCRETIONARY JURISDICTION

NOTICE IS GIVEN that Howard A. Engle, M.D., et al., on behalf of the Florida Engle
Class, Plaintiffs/Petitioners, by and through Class Counsel, invoke the discretionary

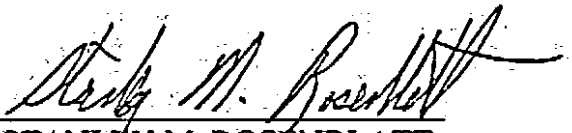
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THIRD DISTRICT
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jurisdiction of the Supreme Court to review the decision of this court issued May 21, 2003 and rendered on September 22, 2003 when the court denied Petitioner's timely motions for rehearing, rehearing en banc, clarification and certification. The decision expressly construes the due process provisions of the state and federal constitutions and expressly and directly conflicts with decisions of other district courts of appeal and of the Supreme Court on the same questions of law.

Respectfully submitted,

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By: 
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Fla. Bar No.: 068445

By: 
SUSAN ROSENBLATT
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the above and foregoing was served by U.S. Mail this 22nd day of October, 2003 to all counsel on the attached Service List.


SUSAN ROSENBLATT

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