

Supreme Court of Florida

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March 3, 2006

To: All Counsel of Record and Interested Parties:

Re: Advisory Opinion to the Attorney General Re: Protect People,
Especially Youth, From Addiction, Disease and Other Health
Hazards of Using Tobacco, SC05-1897; SC05-2098

Before his appointment to this Court, Justice Raoul G. Cantero, III was an attorney with the law firm of (now) Adorno & Yoss, P.A. until August 2002. A Suggestion of Disqualification was filed with this Court in the case of Engle, et al. vs. Liggett Group Inc., et al, Case No. SC03-1856, as that law firm represented Brown & Williamson Tobacco Corp., individually and as successor by merger to the American Tobacco Company, since 1999 (or earlier). Subsequently, Justice Cantero recused himself in the case. Justice Cantero wishes to advise the parties of this information pursuant to Canon 3(E) of the Code of Judicial Conduct and its commentary, which provides:


A judge should disclose on the record information that the judge believes the parties or their lawyers might consider relevant to the question of disqualification, even if the judge believes there is no real basis for disqualification. The fact that the judge conveys this

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information does not automatically require the judge to be disqualified upon a request by either party, but the issue should be resolved on a case-by-case basis.

Most cordially,

By: 
Deputy Clerk

Thomas D. Hall

TDH/vm

cc: Hon. Charles J. Crist, Jr., Attorney General
Louis F. Hubener, Chief Deputy Solicitor General
Susan L. Kelsey, Esquire
Stephen H. Grimes, Esquire
T. Elaine Holmes, Esquire
Allan T. Geiger, Esquire
Mark O. Cooper, Esquire
Hon. Jeb Bush, Governor
Dawn Kimmel Roberts, Esquire
Hon. Glenda Hood
Financial Impact Estimating Committee
Hon. Tom Lee
Hon. Allan G. Bense
John Chaperson