

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT  
IN AND FOR ALACHUA COUNTY, FLORIDA

AMANDA JEAN HALL, Personal  
Representative in the Estate of Arthur  
Hall Sr., deceased,

Plaintiff,

v.

R.J. REYNOLDS TOBACCO COMPANY,  
Defendant.

CASE NO.: 01-2007-CA-5098  
DIV.: J

**ORDER DETERMINING RATE OF INTEREST**  
(version for D)

THIS CAUSE came before the Court on Defendant R.J. Reynolds Tobacco Company's Motion to Determine Rate of Interest Payable on Judgment filed on April 23, 2012 and the Plaintiff's memorandum in opposition filed on April 27, 2012. A hearing on the matter occurred on May 24, 2012. The Court, having heard oral arguments and reviewed the file, hereby finds:

A jury verdict in this case was returned on March 12, 2010. The Final Judgment was entered March 23, 2010, *nunc pro tunc* to March 12, 2010. The Final Judgment awarded interest at the rate of 6% per annum, the then fixed statutory rate of interest. § 55.03, Fla. Stat. (2010) (amended 2011); Dep't of Financial Servs. (2010). To date, the judgment has not been satisfied.

The Defendant requests that the Court determine that the 2011 amendment to Florida's judgment interest rate statute, which changes the interest rate from a fixed to a variable rate, applies to the unpaid portion of the 2010 judgment. The Plaintiff, in contrast, argues that the statute in effect at the time the judgment was entered in 2010 controls until the judgment is paid. § 55.03, Fla. Stat. (2010).

The Court finds that the plain language of the statute at issue does not indicate retroactive applicability. Therefore, the judgment shall bear interest at the rate provided on the face of the judgment.

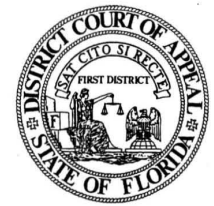
SO ORDERED this <sup>July</sup>~~May~~ 19 day of ~~May~~, 2012.

ORIGINAL SIGNED BY  
STANLEY H. GRIFFIS III  
CIRCUIT JUDGE

\_\_\_\_\_  
Stanley H. Griffis III, Circuit Judge

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IN THE CIRCUIT COURT, EIGHTH JUDICIAL CIRCUIT  
IN AND FOR ALACHUA COUNTY, FLORIDA

AMANDA JEAN HALL, etc.,

Plaintiff,

vs.

CASE No.: 07-CA-5098

Division: J

R.J. REYNOLDS TOBACCO CO.,

Defendant.

**NOTICE OF APPEAL**

NOTICE IS GIVEN that R.J. Reynolds Tobacco Company, Defendant/Appellant, appeals to the First District Court of Appeal the order of this Court rendered on July 23, 2012. The nature of the order is a non-final order entered after final order on an authorized motion, specifically an "Order Determining Rate of Interest." See Fla. R. App. P. 9.130(a)(4). A conformed copy of the order is attached as Exhibit "A."



J. K. Irby, Circuit and County Court Clerk, Alachua County, Florida, certifies this is a true copy of the document of record in this office, which may have been redacted as required by law. Witness my hand and seal on August 17, 2012.

J. K. Irby, Clerk, Circuit and County Court

By [Signature]  
Deputy Clerk

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J.K. "BUDDY" IRBY  
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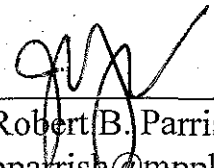
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Respectfully submitted,

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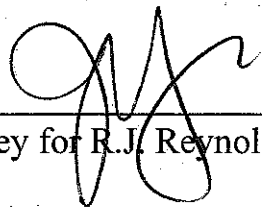
*Attorneys for R.J. Reynolds Tobacco  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing was furnished to the following by email and U.S. mail, this 17th day of August, 2012:

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