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IN THE SUPREME COURT OF FLORIDA

JOAN SCHOEFF, etc.,

Petitioner,

v. Case No.: SC15-2233
L.T. No.: 4D13-1765

R.J. REYNOLDS TOBACCO CO.,

Respondent.

PETITIONER'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO SERVE INITIAL BRIEF ON MERITS

Pursuant to Florida Rule of Appellate Procedure 9.300, Petitioner Joan Schoeff, as personal representative of the estate of James Edward Schoeff, requests that the Court extend the time to serve her initial brief on the merits by seven days, up to and including July 12, 2016, and states:

1. This Court accepted jurisdiction over this case in which the Fourth District certified a question of great public importance. In its order granting review on May 26, 2016, the Court established a briefing schedule requiring Petitioner to serve her initial brief on June 15, 2016.

2. Based on workload issues, Petitioner sought an unopposed 20-day extension of time, which was granted. The initial brief is currently due July 5, 2016.

3. Undersigned counsel seeks this seven-day extension due to several factors. Over the course of the past month, appellate counsel have had several

previously-arranged trips out of the office for Bar-related and personal activities. In the midst of that travel, counsel have also prepared or been preparing several briefs in substantial civil appeals, including: (1) the brief on jurisdiction in *Morris v. Muniz*, No. SC16-931, which was filed with this Court on June 6, 2016; (2) the reply brief on cross-appeal in *Philip Morris USA, Inc. v. Brown*, No. 1D15-2337, which was filed in the First DCA on June 14, 2016; (3) an amicus brief in *R.J. Reynolds Tobacco Co. v. Marotta*, No. SC16-218, which was filed with this Court on June 20, 2016; (4) the answer brief in *Philip Morris USA Inc. v. Danielson*, No. 1D16-234, which is currently due at the First DCA on July 14, 2016; and (5) the answer brief in *Philip Morris USA Inc. v. Jordan*, No. 1D15-5871, which is currently due at the First DCA on July 15, 2016.

4. Undersigned counsel still was able to complete a substantial draft of the initial brief. But that preparation was affected by significant computer issues that caused appellate counsel's website to go down and prevented the entire firm from receiving any external emails as of Friday, July 1. Much of undersigned counsel's time was taken up over the course of that day and this weekend to fixing that issue. Consequently, undersigned was not able to circulate the draft of the brief to other counsel for review and comment until late on July 4. Given other counsel's travel schedules, a seven-day extension is necessary to ensure there is sufficient time for finalization and review of the brief.

5. Undersigned counsel has conferred with Gregory G. Katsas, counsel for R.J. Reynolds Tobacco Co., and is authorized to represent that Respondent does not oppose the relief requested in this motion.

WHEREFORE, Petitioner respectfully requests that this Court extend the deadline for serving the initial merits brief to Tuesday, July 12, 2016.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing document has been furnished to the following counsel by email on July 5, 2016:

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