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SUPREME COURT OF FLORIDA

CASE NO. SC15-2233

JOAN SCHOEFF, AS PERSONAL
REPRESENTATIVE OF THE ESTATE
OF JAMES SCHOEFF
Petitioner,

v.

R.J REYNOLDS TOBACCO COMPANY,

Respondent.
_____/

Lower Tribunal Nos.:
4D13-1765
08-022608 CACE 19

RESPONDENT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO SERVE MERITS ANSWER BRIEF

Respondent R.J. Reynolds Tobacco Company requests a 35-day extension of time, up to and including September 12, 2016, to serve its answer brief on the merits, and as grounds states:

1. The answer brief on the merits is currently due on August 8, 2016 with no previous extensions.

2. Reynolds seeks a 35-day extension because of the existing professional commitments of its lead appellate counsel, Gregory G. Katsas. Mr. Katsas has been lead appellate counsel for Reynolds in most of its *Engle* progeny appeals, and he is the lead author of Reynolds's briefs in this case.

3. Mr. Katsas's existing commitments in other appeals will interfere with his ability to prepare and finalize Reynolds's answer brief by the current deadline.

For example, Mr. Katsas is also responsible for the following five briefs in *Engle* progeny appeals, all due on or before August 8, 2016: (a) Reynolds's reply brief in *R.J. Reynolds Tobacco Co. v. Marotta*, No. SC16-218 (July 28); (b) Reynolds's initial brief in *R.J. Reynolds Tobacco Co. v. Lewis*, No. 5D16-1121 (July 28); (c) Reynolds's initial brief in *R.J. Reynolds Tobacco Co. v. Larkin*, No. 3D16-910 (July 29); (d) Reynolds's initial brief in *R.J. Reynolds Tobacco Co. v. Monroe*, No. 2D16-1911 (August 5); and (e) Reynolds's initial brief in *R.J. Reynolds Tobacco Co. v. Ahrens*, No. 2D16-1651 (August 8).

4. In addition, on July 25, 2016, this Court allowed the filing of two amicus curiae briefs in support of petitioner. Mr. Katsas also requests this additional time to consider these new briefs.

5. We have contacted John S. Mills, counsel for petitioner, and he does not object to the requested extension of time.

6. This motion is not being made for the purpose of delay or for any other improper purpose.

Accordingly, R.J. Reynolds Tobacco Company requests a 35-day extension of time, up to and including September 12, 2016, to serve its answer merits brief.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on July 26, 2016, this motion was e-filed with the Court and a copy was e-mailed to:

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