Filing # 51718985 E-Filed 01/27/2017 10:35:08 AM

RECEIVED, 01/27/2017 10:38:26 AM, Clerk, Supreme Court

SUPREME COURT OF FLORIDA

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

VERIFIED MOTION FOR ADMISSION TO APPEAR PRO HAC VICE PURSUANT TO FLORIDA RULE OF JUDICIAL ADMINISTRATION 2.510

R.J. Reynolds Tobacco Company ("Reynolds"), by and through its undersigned counsel, hereby moves this Honorable Court to allow Donald B. Ayer ("Movant") to appear as counsel for Reynolds in this case and represents the following:

1. Movant resides in McLean, Virginia, and is not a resident of the State of Florida.

2. Movant is an attorney and a member of the law firm of Jones Day, with offices at 51 Louisiana Ave., N.W., Washington, D.C. 20001, telephone (202) 879-3939.

3. Movant has been retained by Respondent Reynolds to provide legal representation in connection with the above-styled matter now pending before this Court.

4. Movant is an active member in good standing and currently eligible to practice law in the following jurisdiction(s):

JURISDICTION	ATTORNEY/BAR NUMBER
District of Columbia	962332

5. No disciplinary, suspension, disbarment, or contempt proceedings are pending against the Movant, nor has the Movant been subjected to any such proceedings in any jurisdiction in the past five years.

6. Movant—either by resignation, withdrawal, or otherwise—never has terminated or attempted to terminate Movant's office as an attorney in order to avoid administrative, disciplinary, disbarment, or suspension proceedings.

7. Movant is not an inactive member of the Florida Bar; he is not now and has never been an active member of the Florida Bar; he is not a suspended member of the Florida Bar; he is not a disbarred member of the Florida Bar; nor has he received a disciplinary resignation from the Florida Bar.

8. Movant has not previously been disciplined or held in contempt by reason of misconduct committed while engaged in representation pursuant to Florida Rule of Judicial Administration 2.510.

9. Movant has filed motions to appear as counsel in Florida state courts during the past five (5) years in the following matters:

Date of Motion	**Case Name**	**Case No.**	**Court**	**Date Motion Granted**
8/29/12	*R.J. Reynolds Tobacco Co. v. Koballa*	5D11-2914	Fifth DCA	8/31/12
12/19/12	*R.J. Reynolds Tobacco Co. v. Smith*	1D12-2778	First DCA	12/26/12
1/04/13	*R.J. Reynolds Tobacco Co. v. Reese*	3D11-2417	Third DCA	1/17/13
10/14/13	*R.J. Reynolds Tobacco Co. v. Hiott*	1D12-5956 1D12-6008	First DCA	10/16/13
8/11/14	*R.J. Reynolds Tobacco Co. v. Ballard*	3D13-2597	Third DCA	8/13/14
11/17/14	*Baker v. R.J. Reynolds Tobacco Co.*	4D13-570	Fourth DCA	11/20/14

10. Local counsel of record associated with Movant in this matter is Eric L. Lundt, Florida Bar No. 0861715, who is an active member in good standing of The Florida Bar and has offices at Sedgwick LLP, 2 S. Biscayne Blvd., Suite 1500, Miami, Florida 33131, Telephone No. (305) 670-4777.

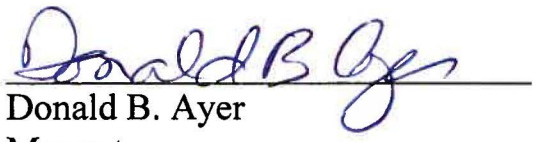
11. Movant has read the applicable provisions of Florida Rule of Judicial Administration 2.510 and Rule 1-3.10 of the Rules Regulating the Florida Bar and certifies that this verified motion complies with those rules.

12. Movant agrees to comply with the provisions of the Florida Rules of Professional Conduct and consents to the jurisdiction of the courts and the Bar of the State of Florida.

13. John Mills, counsel for Petitioner, has been contacted and does not object to this Motion.

WHEREFORE, Movant respectfully requests permission to appear in this court for this cause only.

DATED this 26 day of January, 2017.



Donald B. Ayer
Movant
Jones Day
51 Louisiana Ave., N.W.
Washington, D.C. 20001
Telephone: 202-879-4689
Email: dbayer@JonesDay.com

VERIFICATION OF MOVANT

DISTRICT OF }
COLUMBIA } SS

I, Donald B. Ayer, do hereby swear or affirm under penalty of perjury that I am the Movant in the above-styled matter; that I have read the foregoing Motion and know the contents thereof, and the contents are true of my own knowledge and belief.

Donald B. Ayer

Sworn to (or affirmed) and subscribed before me this 26 day of January 2017 by Donald B. Ayer.

(SEAL)

NOTARY SIGNATURE

Personally known ✓

or Produced Identification _____

Type of Identification Produced _____

JAMIE M. TANIS
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires January 1, 2018

CERTIFICATE OF LOCAL COUNSEL

I hereby consent to be associated as local counsel of record in this cause pursuant to Florida Rule of Judicial Administration 2.510.

DATED this 27th day of January, 2017.

/s/ Eric L. Lundt
Eric L. Lundt
Local Counsel of Record
Sedgwick LLP
2. S. Biscayne Blvd., Ste. 1500
Miami, Florida 33131
Telephone No. (305) 670-4777
Florida Bar No. 0861715

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing motion was furnished by Overnight UPS on this 27th day of January, 2017 to: PHV Admissions, The Florida Bar, 651 East Jefferson St., Tallahassee, Florida 32399-2333 accompanied by payment of the $250.00 filing fee made payable to The Florida Bar, and sent via email to:

John S. Mills
Courtney Brewer
The Mills Firm, P.A.
203 North Gadsden Street, Suite 1A
Tallahassee, FL 32301
jmills@mills-appeals.com
cbrewer@mills-appeals.com
service@mills-appeals.com
Counsel for Petitioner

Robert S. Glazier, Esq.
Law Office of Robert S. Glazier
540 Brickell Key Drive, Suite C-1
Miami, FL 33131
glazier@fla-law.com
Counsel for Petitioner

Alex Alvarez, Esq.
The Alvarez Law Firm
355 Palermo Avenue
Coral Gables, FL 33134
alex@integrityforjustice.com
maria@integrityforjustice.com
lisa@integrityforjustice.com
phillip.holden@integrityforjustice.com
Counsel for Petitioner

Gary M. Paige, Esq.
Gordon & Doner, P.A.
1961 N.W. 150th Avenue
Suite 201
Pembroke Pines, FL 33028
garyp216@aol.com
Counsel for Petitioner

Laurie J. Briggs, Esq.
T. Hardee Bass III, Esq.
Searcy Denney Scarola Barnhart & Shipley, P.A.
2139 Palm Beach Lakes Boulevard
West Palm Beach, FL 33409
tobacco@searcylaw.com
Counsel for Petitioner

Celene H. Humphries, Esq.
Maegen P. Luka, Esq.
Thomas J. Seider, Esq.
Brannock & Humphries
1111 W. Cass Street, Suite 200
Tampa, Florida 33606
Counsel for Amicus Curiae Engle Plaintiffs' Firms

Gary Farmer, Sr.
Farmer, Jaffe, Weissing, Edwards, Fistos & Lehrman, P.L.
425 North Andrews Ave., Ste. 2
Fort Lauderdale, FL 33301
farmergm@att.net
iris@pathtojustice.com
steve@pathtojustice.com
Counsel for Amicus Curiae Florida Justice Association

/s/ Eric L. Lundt
Eric L. Lundt