

Supreme Court of Florida

FRIDAY, MARCH 16, 2018

CASE NO.: SC17-1398

Lower Tribunal No(s):
4D16-224; 062008CA045898AXXXCE; 08-80000 (19)

STEPHEN TOGNOLI, ETC.

vs. PHILIP MORRIS USA, INC.

Petitioner(s)

Respondent(s)

Upon review of the responses to this Court's Order to Show Cause dated January 19, 2018, the Court has determined that it should accept jurisdiction in this case. It is ordered that the Petition for Review is granted, that the Fourth District Court of Appeal's decision in this case is quashed, and this matter is remanded to the district court for reconsideration upon application of our decision *Schoeff v. R.J. Reynolds Tobacco Co.*, 232 So. 3d 294 (Fla. 2017).

No motion for rehearing will be entertained by the Court.

LABARGA, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, POLSTON,
and LAWSON, JJ., concur.

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



lc

Served:

TIMOTHY E. CONGROVE

PETER MICHAEL HENK

JOSEPH M. FASI II

MARIA P. SPERANDO

CELENE H. HUMPHRIES

GEOFFREY J. MICHAEL

HON. LONN WEISSBLUM, CLERK

HON. JOHN JOSEPH MURPHY, III, JUDGE

HON. BRENDA D. FORMAN, CLERK

J. DANIEL GARDNER

PHILIP FREIDIN

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