

IN THE SUPREME COURT OF FLORIDA

STEPHEN TOGNOLI, as
Personal Representative for the
Estate of LYNDA TOGNOLI,

Petitioner,

Case No. SC17-1398

v.

L.T. Case No. 2008-CV-045898

PHILIP MORRIS USA INC.,

Respondent.

**UNOPPOSED MOTION FOR EXTENSION OF TIME
TO SERVE JURISDICTIONAL BRIEF**

Petitioner, Stephen Tognoli, as Personal Representative of the Estate of Lynda Tognoli, pursuant to Florida Rule of Appellate Procedure Rule 9.300(a), moves this Honorable Court to grant a thirty (30) day (unopposed) extension of time to serve the jurisdictional brief, and as grounds therefore state:

1. The jurisdictional brief is currently due to be served no later than August 7, 2017.
2. Petitioner requests a thirty (30) day extension to serve the jurisdictional brief.
3. This is Petitioner's first request for extension of time in connection with the jurisdictional brief.
4. The undersigned attorney has, both before and after the filing of this

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motion, a number of obligations in other matters pending before courts throughout the state.

5. The requested extension will allow counsel enough time to adequately and thoroughly prepare the jurisdictional brief. The brief will then need to be reviewed by trial counsel, which will take additional time. This request is not intended for purposes of delay.

6. No prejudice will be suffered by any party as a result of this extension of time.

7. As required by rule 9.300(a), the undersigned counsel certifies that he has contacted opposing counsel, Geoffrey Michael, and represents that opposing counsel does not object to this requested extension.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by U.S. mail and email to Timothy E. Congrove (SHBPMAttyBroward@shb.com, tcongrove@shb.com), Stacey E. Deere (sdeere@shb.com) and Scott D. Kaiser (skaiser@shb.com), Shook, Hardy & Bacon, LLP, 2555 Grand Blvd., Kansas City, Missouri 64108; J. Daniel Gardner (SHBPMAttyBroward@shb.com; jgardner@shb.com), Shook, Hardy & Bacon, LLP, 201 South Biscayne Blvd., Suite 3200, Miami, Florida 33131; Joseph M. Fasi II (fasi@gwmlaw.com, wiza@gwmlaw.com), Gass Weber Mullins, LLC, 255 Aragon Avenue, Second

Floor, Miami, Florida 33134; John P. Wunderli (jwunderli@rqn.com), Ray Quinney & Nebeker, P.C., 36 S. State Street, Suite 1400, Salt Lake City, Utah 84111; Peter M. Henk (SHBPMAttyBroward@shb.com; phenk@sb.com), Shook, Hard & Bacon, LLP, 600 Travis Street, Suite 3400, Houston, TX 77002; Geoffrey J. Michael (Geoffrey.Michael@aporter.com), Arnold & Porter LLP, 601 Massachusetts Avenue, NW, Washington, DC 20001 on this 4th day of August 2017.

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