

Third District Court of Appeal

State of Florida, January Term, A.D. 2010

Opinion filed March 17, 2010.

Not final until disposition of timely filed motion for rehearing.

No. 3D08-3046

Lower Tribunal No. 01-3822

**Philip Morris USA, Inc., and Liggett Group, LLC, f/k/a Liggett
Group, Inc.,**
Appellants,

vs.

**Robin A. Lukacs, as personal representative of the Estates of John
Lukacs and Yolanda Lukacs,**
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Amy Steele
Donner, Judge.

Kasowitz, Benson, Torres & Friedman, and Leonard A. Feiwus and Kelly A.
Luther; Clarke Silverglate & Campbell, and Karen H. Curtis; King & Spalding,
and Richard A. Schneider (Atlanta); Boies Schiller & Flexner, and Stephen N.
Zack; Carlton Fields, and Gary L. Sasso (Tampa) , for appellants.

McGrane, Nosich & Ganz, and Miles McGrane; Hunter, Williams & Lynch,
and Steve Hunter; Bruce S. Rogow and Cynthia E. Gunther (Fort Lauderdale);
Gerson & Schwartz, and Philip Gerson, for appellee.

Before SUAREZ, CORTIÑAS, and SALTER, JJ.

PER CURIAM.

Affirmed. Engle v. Liggett Group, Inc., 945 So. 2d 1246, 1276-77 (Fla. 2006); Hendry v. Zelaya, 841 So. 2d 572, 575 (Fla. 3d DCA 2003).