

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

**PHILIP MORRIS USA, INC.,**  
Appellant,

v.

**JAMES NAUGLE**, as Personal Representative of the  
**ESTATE OF LUCINDA NAUGLE**,  
Appellee.

No. 4D16-1807

[April 27, 2017]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit,  
Broward County; Jack Tuter, Judge; L.T. Case No. 2007-CV-036736 (19).

Joseph H. Lang, Jr. of Carlton Fields Jorden Burt, P.A., Tampa, and  
Lauren R. Goldman of Mayer Brown LLP, New York, New York, for  
appellant.

Richard B. Rosenthal of The Law Offices of Richard B. Rosenthal, P.A.,  
Miami, and Robert W. Kelley, John J. Uustal and Todd R. McPharlin of  
Kelley Uustal, PLC, Fort Lauderdale, for appellee.

PER CURIAM.

*Affirmed.*

CIKLIN, C.J., GROSS and CONNER, JJ., concur.

\* \* \*

***Not final until disposition of timely filed motion for rehearing.***