

## APPENDIX

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING  
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

R.J. REYNOLDS TOBACCO  
COMPANY,

Appellant,

v.

BARBARA JEAN JOHNSTON,  
Personal Representative of the Estate  
of FRANKLIN JAMES JOHNSTON,

Appellee.

Case No. 2D17-1702

Opinion filed September 28, 2018.

Appeal from the Circuit Court for Sarasota  
County; Diana L. Moreland, Judge.

Troy A. Fuhrman and Marie A. Borland of  
Hill Ward Henderson, Tampa; and Charles  
R.A. Morse of Jones Day, New York, NY,  
for Appellant.

David J. Sales and Daniel R. Hoffman of  
David J. Sales, P.A., Jupiter; and Gary  
Paige of Gordon & Donor, P.A., Davie, for  
Appellee.

PER CURIAM.

Affirmed.

SLEET, LUCAS, and BADALAMENTI, JJ., Concur.