

IN THE CIRCUIT COURT OF THE  
FOURTEENTH JUDICIAL CIRCUIT  
IN AND FOR JACKSON COUNTY,  
FLORIDA

CIVIL DIVISION

EMMON SMITH,

Plaintiff,

v.

R. J. REYNOLDS TOBACCO COMPANY,  
et. al.,

Defendants.

---

CASE NO: 09-719-CA

**PLAINTIFF'S FOURTH REQUEST TO PRODUCE  
TO DEFENDANT  
R.J. REYNOLDS TOBACCO COMPANY**

The Plaintiff, EMMON SMITH, by and through undersigned counsel, hereby files this Fourth Request to Produce pursuant to Rule 1.350 of the Florida Rules of Civil Procedure upon the Defendant, R.J. REYNOLDS TOBACCO COMPANY, to produce for inspection and/or copying at the offices of Plaintiff's counsel within thirty (30) days after service of this request, the following:

1. ALL WRITINGS PERTAINING TO YOU or YOUR PRODUCT IDENTIFIED in tobacco cases, including, but not limited to, Patricia Henley v. Phillip Morris, Inc., San Francisco Superior Court Case No. 995172, Leslie Whiteley, et al. v. Phillip Morris Incorporated, et al., San Francisco Superior Court Case No. 303184, Richard Boeken v. Phillip Morris USA, Inc., Los Angeles County Superior Court Case No. BC 226593, Betty Bullock v. Philip Morris Incorporated, et al., Los Angeles County Superior Court Case No. BC 249171, Laurence Lucier v. Philip Morris Incorporated, et al., Sacramento Superior Court Case No. 02AS01909, Frederick Reller v. Philip Morris Incorporated, et al., Los Angeles County Superior Court Case No. BC 261796, Mayola D. Williams v. Philip Morris Incorporated., Multnomah County Circuit Court, State of Oregon No. 9705-03957 and the State Attorney General actions, including State of Minnesota, by Hubert H. Humphrey, III, Attorney General, et al. v. Phillip Morris

Incorporated; R.J. Reynolds Tobacco Company, et al., Case No. C1-95-1324, as reported, inter alia, at 551 N.W. 2d 490, Supreme Court of Minnesota (1996), Green v. American Tobacco Co., United States District Court for the Southern District of Florida, as reported, inter alia, at 304 F. 2d 70 (1962), Antonio Cipollone v. Liggett Group Inc., District Court of New Jersey, Civil Action Number 83-2864, Nathan Horton v. American Tobacco, Circuit Court of Holmes Co., Mississippi, Civil Action No. 9050, Peter Ierardi v. Lorillard Tobacco Co., District Court Eastern District of Pennsylvania, Case No. 90-7049, Kueper v. R.J. Reynolds Tobacco Company, Circuit Court of St. Clair County, Illinois, Case No. 91-L-734, Allgood v. R.J. Reynolds Tobacco Company, as reported, inter alia, at 80 F.3d 168 (1996), Carter v. Brown & Williamson, as reported, inter alia, at 200 WL 1726779 (Fla. 2000), Wilks v. American Tobacco, as reported, inter alia, at 680 So. 2d 839 (Miss. 1996), Karbiwnyk v. R.J. Reynolds Tobacco, Florida Circuit Court, No. 95-4697, 1997, Dana Raulerson (Connor) v. R.J. Reynolds, Florida Circuit Court of the 4th Judicial Circuit, Duval County, No. 95 - 1820, 1997, Gilboy v. American Tobacco, as reported, inter alia, at 582 So. 2d 1263 (La. 1991), Lacy v. Lorillard, Norfolk County Superior Court, MA, Case No. 94-01894, Newcomb v. R.J. Reynolds Tobacco, Circuit Court Shelby County, Tennessee, Case No. 88913-8, Grinnell v. American Tobacco, as reported, inter alia, at 883 S.W. 2d 791 (1994), Kenyon v. R.J. Reynolds Tobacco Co., Florida Circuit Court, Case No. 00-5401, La Belle v. Philip Morris Inc., as reported, inter alia, at 243 F. Supp. 2d 508 (2001), Little v. Brown & Williamson, as reported at, inter alia, 243 F. Supp. 2d 480 (2001), Mehlman v. Philip Morris Inc., New Jersey Superior Court Case No. 1141-99, Jocelyn Tompkin v. American Brands Inc., Northern District of Ohio, Eastern Division, Case No. 94CV1302, Michelle Schwarz v. Philip Morris, Inc., Oregon Circuit Court, County of Multnomah, Case No. 0002 01376, Tune v. Philip Morris Inc., Florida Circuit Court, Case No. 97-4678, Allen v. R.J. Reynolds Tobacco Co., Southern District Florida, Case No. 01-4319, Boerner v. Brown & Williamson, as reported, inter alia, at 260 F.3d 837 (8th Cir. 2001), Lucier v. Philip Morris, et. al., Sacramento County Superior Court, Case No. 02AS01909, Steven Arch v. American Tobacco Company, District Court for Eastern District of Pennsylvania, Case No. 96-5903-00, Arnitz v. Philip Morris, Florida Circuit Court, Case No. 00-4208, In re Tobacco Litigation Medical Monitoring Cases, Circuit Court of Ohio County, Case No. 00-C-6000, Lillian Bolling v. Brown & Williamson, Florida Circuit Court, Duvall County, Case No. 96-4456-CA, Howard and Mary Bowdell v. Brown & Williamson, et. al., Florida Circuit Court, Pinellas County, Case No. 91-49738, Norman Broin v. Philip Morris, Florida Circuit Court, Dade County, Case No. 91-49738, David Burton v. R.J. Reynolds, District Court for District of Kansas, Case No. 94-2202, Craig Dunn v. R.J.R. Nabisco Holdings, County of Delaware, Indiana, Case No. 18201-9305-CT-06, John Eastman v. Brown & Williamson, Florida Circuit Court, Pinellas County, Case No. 07-5968-CI-11, Lois Eiser v. Brown & Williamson, Court of Common Pleas, Philadelphia County, No. 4367, Louise Falise v. R.J. Reynolds, United States District Court, Eastern District of New York, No. 99-CV-7392, State of Florida v. American Tobacco, Florida Circuit Court, Palm Beach County, Case No. CL 951466 - AH, Gladys Frankson v. Philip Morris, County of Kings, New York, Case No. 24915/00, Denise Fubini & Phyllis Small v. Lorillard, County of New York, New York, Case No. 110949/96, Local 17 International Association of Bridge & Iron Workers v. Philip Morris, United States District Court, Northern District of Ohio, No. 1:97CV1422, Angela Widdick (Maddox) v. Brown & Williamson, Florida Circuit Court, Duvall County, Case No. 97-03522-CA, Marilyn Gail McDonald v. Philip Morris Inc., District Court of Northern California, No. C-02-2409VRW, Gilda Middleton v. Armstrong World, Florida County Court, Hillsborough, 95-3923,

Commonwealth of Massachusetts v. Philip Morris, Inc., Superior Court of Middlesex County, Massachusetts, No. 95-7378-1, Mississippi v. Philip Morris Inc., Chancery Court of Jackson County, Mississippi, No. 94-1429, Kenneth & Dolores Munn v. Philip Morris, Inc., Harris County, Texas, No. 85-57812, Brenda & Keith Rein v. Philip Morris, Alameda County Superior Court, Case No. 807453-1, Shanna Shipman v. Philip Morris Inc., District Court of Johnson County, Texas, Case No. 26294, David Taylor v. Lorillard, Alameda County Superior Court, Case No. 811998-2, State of Texas v. American Tobacco Company, United States District Court of Texas, Texarkana Division, Case No. 5-96CV91, Estate of Schwarz v. Philip Morris, Inc., Oregon Circuit Court, Case No. 0002-01376, Engle v. R.J. Reynolds, Dade County Circuit Court, Fla, Case No. 94-08273, United States v. Philip Morris, United States District Court of Columbia, 99-CV-02496, or legal actions culminating in the “Master Settlement Agreement,” which YOU contend, or will contend in the present case, are NOT authentic or authenticated under California Evidence Code Sections 643 to 645.1, inclusive and/or Division 11, Chapters 1 and/or 2.

**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY true and correct copies of the foregoing have been provided by

Mail and Facsimile this \_\_\_\_ day of October, 2010, to the attached Service list.

RATZAN & RUBIO, P.A.  
Attorneys for Plaintiffs  
1450 Brickell Avenue, Suite 2600  
Miami, FL 33131  
Phone: (305) 374-6366  
Facsimile: (305) 374-6755

By: \_\_\_\_\_  
Maria L. Rubio  
Florida Bar No.: 623891