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Florida Smokers Tobacco Lawsuit

If you smoke or have a loved one that does, it's important to understand the latest findings regarding this addiction. The following sources help to explain and provide important information for Florida smokers.

July 6, 2006 was an historic day for the tobacco industry and smokers in Florida alike. The Florida Supreme Court came to a decision that confirms the adverse effects that cigarettes have on individuals while adjudicating a class action suit. This 79-page decision incorporates as a matter of law the findings that were adopted in Phase I of the original trial proceedings. This is important information for Florida smokers to understand, and we've detailed these findings below:

Florida Supreme Court, No. SC03-1856 Engle vs. Liggett Group, page 8

- Nicotine is addictive;
- Defendants placed cigarettes on the market that were defective and unreasonably dangerous;
- Defendants made false or misleading statements of material fact with the intention of misleading smokers;
- Defendants concealed or omitted material information not otherwise known or available that proved that defendants knew that said material was false or misleading or failed to disclose a material fact concerning the health effects or addictive nature of smoking cigarettes.

The Florida Supreme Court decision may be perceived as a win for the tobacco industry, as the class action was de-certified and dismissed. However, this is not a victory for the tobacco giants, as the holding allows individuals to file a lawsuit based on their specific damages.

Important Information for Florida Smokers:

Originally, the objective of the class action was to seek and ultimately obtain a fair settlement or favorable verdict for class members who had suffered health problems as a result of smoking. Although this objective was not technically obtained, the Florida Supreme Court's decision has opened the doors for those individuals who deserve the right to hold these enormous tobacco companies accountable. Understanding the details of this decision represents important information for Florida smokers, as there is a time limitation for pursuing a valid claim. If you have any medical conditions that you believe to be a result of smoking, you need to contact an attorney immediately.

Your case will now be filed individually and any compensatory awards and/or punitive damages will be awarded based on the factors present in your individual situation. Keep in mind, however, that a lot of the hard work has been completed. The Florida Supreme Court has already recognized that smoking causes serious health issues, as the "law" of Florida now recognizes this reality without a burden of proof being placed on the plaintiff.

Your attorney will be able to explain any remaining important information for Florida smokers, and he or she will guide you through the legal process. Contact an attorney today.

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