

**IN THE COURTS OF ESCAMBIA COUNTY, FIRST JUDICIAL CIRCUIT,  
STATE OF FLORIDA**

**ADMINISTRATIVE DIRECTIVE ECAD 2008-03**

**IN RE: *ENGLE* LITIGATION**

WHEREAS, the Florida Supreme Court decertified the class action lawsuit relating to tobacco litigation, more commonly referred to as *Engle* litigation in Florida, and directed plaintiffs to file individual damages claims in the various counties of this state, and

WHEREAS, the first *Engle* case filed in Escambia County was assigned by the Clerk of the Circuit Court to Division “K” in which the undersigned judge presides, with all other cases being randomly assigned by the Clerk to the various civil divisions of the Circuit Court in Escambia County, and

WHEREAS, over 70 *Engle* cases were originally filed in Escambia County, many of which were filed naming multiple, unrelated plaintiffs in a single case, all of which are classified by counsel for the parties as complex cases, and

WHEREAS, counsel for the represented parties requested that a single judge be assigned to provide certain judicial economies expected to be realized in managing discovery, crafting a unified case management order, managing the scheduling of cases for trial based upon the assertion of statutory priority due to the advanced age of many of the plaintiffs, and

WHEREAS, the undersigned, in consultation with the other Circuit Judges assigned to Civil Divisions in Escambia County, finds that the interests of judicial economy, uniformity of rulings, and other benefits accrue from assignment of pre-trial case management responsibilities to a single judge regardless of the specific designated division to which a case is assigned, and

WHEREAS, the undersigned is the Administrative Judge of the Circuit Court in and for Escambia County,

IT IS ORDERED AND ADJUDGED that:

1. All *Engle* cases in Escambia County, Florida, shall be managed, regardless of civil division to which any case is assigned, by a single judge who shall preside over all pre-trial case management activities to include assisting counsel in crafting a unified case management order, managing all issues relating to discovery, establishing a priority schedule for setting cases for trial based upon any asserted statutory priority, coordinating release of individual or groups of cases for trial scheduling purposes, and any other matters the assigned judge determines would facilitate coordinated progress of these cases for resolution including, but not limited to, ruling upon motions applicable to evidentiary matters which affect many, if not all, *Engle* cases.

2. Circuit Judge Terry D. Terrell is assigned the responsibility to conduct pre-trial case management for all *Engle* cases in Escambia County, Florida, as delineated above, until such time as any case or cases may be released to the assigned division to schedule trial(s).

3. Coordinating counsel for Plaintiffs shall provide the undersigned judge and the Clerk of Circuit Court, Civil Division, with a current list of all *Engle* cases in Escambia County within ten (10) days of the date of this order and within ten (10) days of the date of any addition to or subtraction from the list.

4. The Clerk shall forward all orders submitted for signature using Case No. 2008 CA 080000 to the undersigned, regardless of division assignment, until any case(s) is(are) released to the assigned division to schedule trial(s) under the original division case number.

5. Sole discretion is retained by the undersigned to assign any case(s) to a single judge or group of judges to most efficiently schedule trial(s) of *Engle* cases.

DONE AND ORDERED this 21<sup>st</sup> day of November, 2008, retroactive to January 31, 2008.

Signed by: Terry D. Terrell, Administrative Judge