

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 1:20-cv-23287-DPG

LUIS MANUEL RODRIGUEZ, *et al.*,

Plaintiffs,

v.

IMPERIAL BRANDS PLC, *et al.*,

Defendants.

**DEFENDANT IMPERIAL BRANDS PLC'S NOTICE
OF CONSTITUTIONAL QUESTION**

Pursuant to Rule 5.1 of the Federal Rules of Civil Procedure and Rule 24.1 of the Local Rules for the United States District Court for the Southern District of Florida, Defendant Imperial Brands plc (“Imperial”) provides this Notice of Constitutional Question.

Imperial has filed a written motion drawing into question the constitutionality of a federal statute, namely, Title III of the Cuban Liberty and Democratic Solidarity (Libertad) Act, 22 U.S.C. §§ 6081–6085 (“Title III”). The constitutional question is raised in Defendant Imperial Brands plc’s Motion to Dismiss [DE 88]. The constitutional question raised is: does the Due Process Clause of the Fifth Amendment to the United States Constitution prohibit the extraterritorial application of Title III to Imperial’s concededly “non-U.S.” Cuban-cigar business under the circumstances alleged in the Complaint due to lack of legislative jurisdiction.

In accordance with Federal Rule of Civil Procedure 5.1(a)(2), on April 28, 2021, the undersigned counsel for Imperial sent a copy of this notice (before it was filed with the Court),

together with copies of the above-mentioned papers and of Defendants' Joint Motion to Dismiss [DE 91], to the Attorney General of the United States by certified mail and Federal Express to:

U.S. Department of Justice
Attn: Attorney General
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

This is the address provided on the website of the U.S. Department of Justice for "Correspondence to the Department, including the Attorney General": <https://www.justice.gov/contact-us>.

Dated: April 28, 2021

Respectfully submitted,

/s/ Mark F. Raymond
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