

The United States hereby submits these annotations to its Preliminary Proposed Findings of Fact pursuant to Order Nos. 318 and 323. The paragraph numbers identified herein correspond with those same paragraph numbers identified in the United States' Preliminary Proposed Findings of Fact, filed on January 28, 2003. In preparation of this paragraph annotation, the United States has, in some instances, listed source material in addition to that previously included in its initial Source Material; such additional source material is also identified by topic in the attached appendix.

I

THE DEFENDANTS ESTABLISHED AN ENTERPRISE

4. HT0072119-2125; CTR BYL 000001-0014; Expert Report of Jonathan Samet, M.D., M.S. in United States v. Philip Morris, at 5-8; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris, at 9-12; Expert Report of Allan Brandt, Ph.D. in United States v. Philip Morris, at 15; Doll, Richard, and A. Bradford Hill, "Smoking and Carcinoma of the Lung: Preliminary Report," *British Medical Journal*, 739-48 (1950); Doll, Richard, and A. Bradford Hill, "A study of the Aetiology of Carcinoma of the Lung," *British Medical Journal*, 2: 1271-86 (1952); Hammond, E.C., and D. Horn, "The Relationship Between Human Smoking Habits and Death Rates: A Followup Study of 187,776 Men," *Journal of the American Medical Association*, 154: 1316-28 (1954); Levin, Morton L., Hyman Goldstein, and Paul R. Gerhardt, "Cancer and Tobacco Smoking: A Preliminary Report," *Journal of the American Medical Association*, 143: 336-38 (1950); McConnell et al., "Occupation and Personal Factors in the Aetiology of Carcinoma of the Lung," *Lancet*, 651-56 (1952); Mills & Porter, "Tobacco Smoking Habits and Cancer of the Mouth and Respiratory System," *Cancer Research*, 539-42 (1950); Schrek et al., "Tobacco Smoking as an Etiologic Factor in Disease," *Cancer Research*, 49-58 (1950); Wynder, Ernst L., and Evarts A. Graham, "Tobacco Smoking as a Possible Etiologic Factor in Bronchiogenic Carcinoma," *Journal of the American Medical Association*, 143: 329-38 (1950); Wynder, Ernst L., Evarts A. Graham, and Adele B. Croninger, "Experimental Production of Carcinoma with Cigarette Tar," *Cancer Research* 13.12: 855-864 (1953)
6. 508775416-5416; HT0072119-2125; CTR BYL 000001-0014
7. HT0072119-2125; CTR BYL 000001-0014
8. JH 000502-0506
9. JH 000493-0501
10. 01138856-8864
11. SHSW001300-1303; 01138856-8864
12. JH 000502-0506
13. 11309817-9817
14. HT0072119-2125; CTR BYL 000001-0014; 11309817-9817

15. 11309817-9817
16. 11309817-9817
18. MD000289-0289; HT0072119-2125; CTR BYL 000001-0014
19. CTR BYL 000001-0014; HT0072119-2125
20. CTR BYL 000001-0014; HT0072119-2125
21. HT0072119-2125; CTR BYL 000001-0014
22. CTR BYL 000001-0014; HT0072119-2125
23. SHSW001300-1303; HT0072119-2125; CTR BYL 000001-0014
24. CTR BYL 000001-0014; HT0072119-2125
25. Response of Defendant CTR to United States' First Set of Interrogatories, Schedule C, served February 6, 2001; 04227839-7844
26. Response of Defendant CTR to United States' First Set of Interrogatories, Schedule C, served February 6, 2001
27. Response of Defendant CTR to United States' First Set of Interrogatories, Schedule C, served February 6, 2001
28. Response of Defendant CTR to United States' First Set of Interrogatories, Schedule C, served February 6, 2001
29. 93218985-8986; 682631364-1368; 1003041486-1488
30. CTR MIN-BD 000001-0009
31. TM0020071-0088; 514804083-4086
32. 514804083-4086
33. TM0020071-0088; JH000395-0400; 514804083-4086; CTR MIN-ITC 000003-0004
34. TM0020071-0088; 689103383-3437; CTR MIN-ITC 000005-0006; CTR MIN-ITC 000003-0004; JH000395-0400

35. 689103383-3437; TM0020071-0088; State of Washington v. American Tobacco Co., 96-2-15056, Exhibit No. 52
36. 689103383-3437; 681879254-9715; 689103383-3437; State of Washington v. American Tobacco Co., 96-2-15056, Exhibit No. 52
37. 86017433-7453; HT0128002-8023
38. 86017433-7453; State of Washington v. American Tobacco Co., 96-2-15056, Exhibit No. 52
39. 110315968-5971
40. CTR MN 003816-3835; Deposition of Harmon McAllister, United States v. Philip Morris, May 23, 2002, 56:22-57:18
41. 1005039779-9783
42. CTR MN 003816-3835 at 3826; TM0020071-0088 at 0076
43. 689103383-3437
44. 2023335303-5304; 1005039987-40008
45. 2023335303-5304; 01138996-8997
46. 01421596-1600
47. 689033412-3416
48. Expert Report of Allan Brandt, Ph.D. in United States v. Philip Morris, at 21-25
49. 1000255938-5940; 2015062594-2596
50. Expert Report of Allan Brandt, Ph.D. in United States v. Philip Morris, at 34-39
51. 1003119099-9135
52. 100226995-7033
53. HT0128002-8023; TIMN 123324-3327; 511018410-8413; TIMN 123314-3317; TIMN 0000466-0001111

54. TIMN 123276-3279; 500500776-0779; TIMN 0070640-0656; TIMN 0070657-0674
55. TIMN 0081441-1457; TIMN 0081441-1457
56. MNAT00515648-5651; 511018410-8413
57. HT0145148-5150
58. Burney, Leroy E., "Smoking and Lung Cancer: A Statement of the Public Health Service," JAMA 71: 1835 (November 1959); HT0145148-5150; 503283464-3467
59. 503283464-3467; HT0145148-5150
60. 85865669-5692; 2058185000-5317; 515709297-9340
61. Deposition of Lorraine Pollice, United States v. Philip Morris, June 27, 2002, 64:11-75:17, 120:4-10; Deposition of Harmon McAllister, United States v. Philip Morris, May 24, 2002, 62:8-67:2
62. 515709297-9340; 85865693-5741; 515709297-9340; 85865742-5804; 515709297-9340; 01141473-1541; 1002315484-5561; 1002316572-6677
63. 515709297-9340; 85865669-5692; 85865693-5741; 85865742-5804; 85865805-5873; 85865874-5946; 01141473-1541; 85866020-6080; 1002315412-5483; 1002315484-5561; 1002315562-5562; 1002315641-5641; 1002315723-5834; 1002315835-5920; 1005082487-2584; 1005082585-2690; 1005082691-2691; 2028556086-6177; 1002316312-6397; 1002316398-6485; 1002316486-6571; 1002316572-6677; 1002316678-6780
64. State of Washington v. American Tobacco Co., 96-2-15056, Exhibit No. 52; CTRMN003816-3835 at 3825; 9318985-8986
65. 93218985-8986; 70057072; 512678484-8499; 689103383-3437
66. TINY0003106-3116; 105408490-8499; 501941283-1284
67. 110070785-0842
68. 690204121-4122; 690204121-4122; 680204115-4117
69. ATX110005290-5303; <http://docs.house.gov/tobacco/docs/bw/0012691297.tif>
70. 501941580-1580; 2010007711-7711; 2010007677-7677; 2010007701-7702;

2010007690-7691

71. 93481139-1140
72. TIMN0010606-0609
73. TIMN0005705-5712
74. TIMN0005705-5712; 1005136918-6933
75. Individual Defendants' Answers to Interrogatory No. 25 of United States' First Set of Interrogatories, United States v. Philip Morris; Tables at APP-7 to APP-9; TFAL 0000001-0010 at 0009; 2023390612-0616 at 0614; 81616559-6562 at 6561; 81616516-6520 at 6518; 89694214-4220 at 4216; 89693636-3641 at 3638; 89696116-6124 at 6118; 89693336-3342 at 3338; 89693376-3384 at 3378; TIOK 0000243-0249 at 0245; TIOK 0000250-0256 at 0252; TIOK 0000257-0265 at 0259; TIOK 0000266-0273 at 0268; TIOK 0000274-0281 at 0276; TIOK 0000282-0286 at 0284; TIOK 0000290-0297 at 0292; TICT 0009911-9918 at 9913; TIOK 0000298-0304 at 0300; TICT 0009919-9925 at 9921; TIOK 000305-0312 at 0307; TICT 0009888-9895 at 9890; TIOK 000313-0320 at 0315; TICT 0009896-9903 at 9898; TIOK 000321-0327 at 0323; TICT 0009904-9910 at 9906; T116352199-2432 at 2202-2211, 2271-2282, 2290-2294, 2309-2313, 2339-2341, 2368-2368, 2393-2395; T116351836-1838; TICT 0009885-9887; TICT 0009871-9874; TICT 0009863-9866; TICT 0009867-9870
76. LG20000457-0461; 536484137-4274
77. TIMN0010606-0609
79. 502645038S-5038Z
80. TIMN0070539-0545
81. 521043046-3050; 2015007199-7207
82. Deposition of Ernest Pepples, United States v. Philip Morris, June 27, 2002, 44:18 - 45:12; Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002, 71:17-22; Deposition of Steven Parrish, United States v. Philip Morris, June 25, 2002, 173:2-7; Deposition of Arthur Stevens, United States v. Philip Morris, June 18, 2002, 20:17-22:11; Deposition of J. Kendrick Wells, United States v. Philip Morris, July 1, 2002, 180:1-194:11; 521043046-3050; 680038350-8352
83. 517004087-4090

84. LG2006318-6330
85. <http://docs.house.gov/tobacco/docs/bw/0012690847.tif>
86. <http://docs.house.gov/tobacco/docs/bw/0012685027.tif>
87. LG2008241-8242
88. 03746184-6185; 2024671248-1255; 1005121522-1526
89. 681000290-0293
90. <http://docs.house.gov/tobacco/docs/bw/0012685027.tif>
91. Glossary to Tobacco Institute privilege logs submitted in United States v. Philip Morris; Deposition of Ernest Pepples, United States v. Philip Morris, June 27, 2002, 49:13-50:8
92. Glossary to Tobacco Institute privilege logs submitted in United States v. Philip Morris; 521043046-3050
93. 2015007199-7207
94. Glossary to Tobacco Institute privilege logs submitted in United States v. Philip Morris; 680038350-8352; 1005121522-1526
95. 680546825-6829; LG2008203-8210
96. TIFL0529869-9880, TIMN217628-7638
97. LG0237151-7159 at 7154
98. TIMN262974-2975; ZN21992-1995
99. TIFL0529869-9880
102. TIMN0130830-0831, TIKU000006661-6662
103. TIMN0104428-4429 at 4428
104. 1005136953-6957 at 6955
105. TIMN0104311-4312

106. TIMN0098597-8598 at 8598
107. TIMN0099040-9041 at 9040
108. 502644592-4616 at 4595, 4596
109. TIMN0071488-1491 at 1489
110. TIMN300233-0257; HK0108004-8004
111. TIMN0121524-1527; TIMN395428-5429 at 5429
112. TIMN0123716-3720 at 3717
113. TIMN0131768-1769 at 1768, TIKU000010772-0773 at 0773
114. TIMN0100469-0470 at 0469
115. 87657703-7706 at 7705
116. TIMN0124460-4460
117. TIMN0120638-0639 at 0638
118. 500320855-0855
119. TIFL0522279-2280 at 2280
120. TI06430696-0696
121. TIMN319568-9604 at 9578
122. 2024372475-2476 at 2476
123. 2025431644-1748; TIMN0245529-5529; TIMN0093856-3858 at 3857
124. 03028799-8809 at 8800
125. TIMN0110091-0091
126. TIMN0131426-1426, TIKU000010381-0381
127. TIMN0118348-8349 at 8348, T501263-1264 at 1263

128. TIMN0081949-1949
129. TIMN0123716-3720 at 3718
130. TIMN0123833-3834 at 3833
131. TIMN0055129-5135 at 5130
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136. TIMN0118245-8246 at 8245
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139. TIMN0081352-1352
140. TIMN0121003-1007 at 1007
141. TIMN0120596-0597
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144. 670500617-0620 at 0618
146. TIMN0019963-9963
147. TIMN0125189-5189
148. TIMN339671-9676 at 9673
149. TIMN341405-341422 at 1420
151. TIMN0098597-8598 at 8597, TIFL0522044-2045 at 2044

152. 2065081133-1135 at 1133, 1134
153. 03651952-1953
154. 690149518-9531 at 9521
155. TIMN0013803-3803; TIMN0013845-3856 at 3846
156. TIMN202301-2302
157. TIMN201581-1581
158. TIMN0194781-4787 at 4782, 4783
159. TPRE0001818-1820, TIOK0000978-0980
160. TIMN0164422-4424 at 4422
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162. TITL0003128-3130; 515805538-5538; 680239934-9935; TIMN267146-7146
163. TITL0003363-3375
164. TITL0003108-3111
165. TITL0003115-3117
166. 500500320-0323
167. LG0162781-2785
168. 500500320-0323
169. TIMN267142-7143
170. <http://docs.house.gov/tobacco/docs/bw/0012695326.tif>; TIMN267210-7212
171. 500500320-0323
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177. TIMN203171-3171
178. 2022970464-0466
179. TI31112636-2639; TI31112641-2648; Deposition of William Adams, United States v. Philip Morris, June 18, 2002, 17:16-17:20
181. 2045752106-2110
182. 2045752106-2110 at 2107
183. 2015059690-9697
184. Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002, 56:9-57:18
185. Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002, 58:20-59:19
186. LG2002635-2638 at 2637-2638
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188. 321668053-8055 at 8054, 680262182-2184 at 2183
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191. LG2000149-0171; 2015059722-9723
192. 2015059705-9705; 2015059590-9593; 2015059701-9704; 2015059586-9588
193. TIMN261386-1387
194. 1005083882-3886 at 3884, 3886

195. 1005108380-8381 at 8381
196. 507878840-8840
197. 1005084784-4786; 1005084799-4800
198. 1005070515-0515
199. 1005065603-5603
201. ATX30 0000157-0157
202. <http://docs.house.gov/tobacco/docs/bw/0012685445.tif>
203. <http://docs.house.gov/tobacco/docs/bw/0012685509.tif>
204. 507877537-7537
205. 521030631-0631
206. 521031038-1038
207. 80412203-2203
208. 85171343-1343
209. 80412199-2199
210. 503655278-5278
211. 507732293-2293
212. 507731762-1762
213. 2015031514-1514
214. LG2002533-2533
215. 1005053953-3953
216. 2010047654-7654
217. 1005064626-4626

218. 2015047160-7160
219. 2015006925-6925
220. 2015006923-6923
221. Deposition of Lorraine Pollice, United States v. Philip Morris, June 27, 2002, 47:19-47:22
222. Deposition of Harmon McAllister, United States v. Philip Morris, May 24, 2002, 92:19-95:3, 136:2-136:7; Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002, 56:9-57:18; Deposition of Lorraine Pollice, United States v. Philip Morris, June 27, 2002, 43:10-54:18; 11330520-0520, CTR98CONG00058-0058
223. Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002, 66:9-67:9
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226. Deposition of Lorraine Pollice, United States v. Philip Morris, June 27, 2002, 64:11-75:17, 120:4-120:10
227. Deposition of Lorraine Pollice, United States v. Philip Morris, June 27, 2002, 54:13-54:18
228. 2045752106-2110 at 2107
229. 502645038S-5038Z at 5038W
230. 2015037179-7182; 507877173-7174 at 7173
231. <http://tobaccodocuments.org/atc/13255544.html>; 80680301-0303; 80680283-0285; 2015038280-8284; 2015028333-8336; 80680143-0144; <http://tobaccodocuments.org/atc/13254063.html>; 2015054674-4677; 2015026550-6553; 1005122219-2222; 100512228-2231; 1005122237-2240; 1005122246-2249; 1005122257-2260; 1005122262-2265; 1005122267-2271; 03638929-8931; 2015042056-2059; 2015042079-2082; 2015042069-2072; 507875857-5859; 507876993-6994; 507875832-5834; 507876986-6987; 507876979-6979; 507875698-5700; <http://tobaccodocuments.org/atc/13232355.html>; 507875674-5674; 2015037179-7182; ATX14 0000938-0939
232. LG2021550-1550

233. <http://docs.house.gov/tobacco/docs/bw/0012685027.tif>
234. 03658901-8901
235. 503655086-5088 at 5086
236. LG2024193-4196 at 4195
237. 2023918181-8185 at 8181
238. LG2002618-2626; LG2002617-2617
239. 1005107379-7379
240. 03638976-8979
241. 521029995-9995
243. ATX30 0011154-1154
244. 521029306-9306
245. 85674693-4693
246. 502499420-9420
247. 5078875702-5702
248. 2010047953-7953
249. 2045752106-2110 at 2107
250. CTR98CONG 01187-1189 at 1188-1189
251. 2045752106-2110 at 2108
252. 507875961-5962 at 5961
253. CTR SP-FILES008806-8806; CTR SP-FILES008804-8804; CTR SP-FILES008801-8801; CTR SP-FILES 08799-8799; CTR SP-FILES016124-6124; HK1698002-8002
254. 507731385-1385; 03747024-7205

- 256. 2015002947-2955 at 2947, 2948
- 257. 87598486-8486; ATX300004011-4011; 521100040-0040
- 258. 2023230770-0770
- 259. TIMN0070640-0656; TIMN0070657-0674
- 260. TIMN0070657-0674 at 0672
- 261. TIMN0070657-0674 at 0672
- 262. TIMN0016964-6982 at 6975
- 263. PM1005153098-3099; TIMN253001-3001; TIMN0081698-1698; TIMN0000560-0560; TIMN0081695-1695
- 265. LG2000139-0144, RC-6033491-3496
- 266. 502645038.S-5038.Z
- 267. 2015059690-9697
- 268. 1005154422-4435 at 4425
- 269. 1005154472-4479
- 270. 2015033925-3934
- 271. 2015034120-4121
- 272. 2015033948-3978
- 273. 1005084784-4786 at 4784
- 274. 03658901-8901; LG2024193-4196 at 4196
- 275. 503655086-5088 at 5087
- 276. 681725305-5307
- 277. 500025854-5856; 502122792-2797 at 2795

278. 2045752106-2110 at 2107
279. 80419202-9203
280. TIEX0000964-0976
281. 85687269-7270 at 7269
282. 507877173-7174 at 7173
283. 2021502671-2678
284. 401247331-7336 at 7336; Deposition of John Rupp, United States v. United States, June 28, 2002, 136:6-136:21
285. BWBU242341-2343 at 2343
286. 506254922-4922
287. 2015007199-7207 at 7199
288. 2500017054-7063
289. 506816523-6529
290. Deposition of John Rupp, United States v. Philip Morris, June 28, 2002, 193:2-199:7
291. Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002, 34:1-36:25
292. 2023590167-0174
293. Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002, 61:11-66:11
294. 508774616-4623
295. 2501474253-4259
296. Deposition of John Rupp, United States v. Philip Morris, June 28, 2002, 61:8-63:16
297. Deposition of John Rupp, United States v. Philip Morris, June 28, 2002, 115:17-117:16
298. Deposition of John Rupp, United States v. Philip Morris, June 28, 2002, 160:3-161:8

299. Deposition of John Rupp, United States v. Philip Morris, June 28, 2002, 182:18-183:10
301. TI10411343-1343
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304. TI10630369-0369; 321141105-1144 at 1106
305. TI01900211-0214 at 0211
306. 2050764508-4508
307. 321141105-1144 at 1142
308. TI01900167-0167; 321141105-1144 at 1106
309. 321141105-1144 at 1112; Deposition of Steven Parrish, United States v. Philip Morris, June 25, 2002, 110:20-111:25; Deposition of Scott Appleton, United States v. Philip Morris, October 17, 2002, 38:18-40:5
310. 321141104-1104
311. 86205205-5206
312. Deposition of Steven Parrish, United States v. Philip Morris, June 25, 2002, 110:20-111:25
313. Deposition of Scott Appleton, United States v. Philip Morris, October 17, 2002, 38:18-40:5; 517577761-7761, 86617703-7703
315. 83499144-9145; 2063908736-8736
316. MSA, Sec. III(o), Permanent Relief - Dissolution of The Tobacco Institute, Inc., The Council for Tobacco Research-U.S.A., Inc. and the Center for Indoor Air Research (November 1998)
317. MSA, Sec. III(o)(1), Permanent Relief - Dissolution of The Tobacco Institute, Inc., The Council for Tobacco Research-U.S.A., Inc. and the Center for Indoor Air Research (November 1998)

318. Plan of Corporate Dissolution and Distribution of Assets of The Council for Tobacco Research-U.S.A., Inc. (October 19, 1998); State of Minnesota v. Philip Morris, Inc., No. C1-94-8565 (2nd Judicial District, Minn. May 18, 1998)
319. Plan of Corporate Dissolution and Distribution of Assets of The Council for Tobacco Research-U.S.A., Inc. (October 19, 1998)
320. 70005157-5161
321. Plan of Corporate Dissolution and Distribution of Assets of The Council for Tobacco Research-U.S.A., Inc. (October 19, 1998)
322. Plan of Corporate Dissolution and Distribution of Assets of The Council for Tobacco Research-U.S.A., Inc. (October 19, 1998)
323. Plan of Corporate Dissolution and Distribution of Assets of The Council for Tobacco Research-U.S.A., Inc. (October 19, 1998)
324. MSA, Sec. III(o)(2), Permanent Relief - Dissolution of The Tobacco Institute, Inc., The Council for Tobacco Research-U.S.A., Inc. and the Center for Indoor Air Research (November 1998)
325. MSA, Exhibit G - Obligations of The Tobacco Institute Under the Master Settlement Agreement (November 1998); MSA, Exhibit G - Obligations of The Tobacco Institute Under the Master Settlement Agreement (November 1998)
326. TI31113058-3080
327. TI14870294-0296
328. TI14870297-0302
329. MSA, Sec. III(o)(3), Permanent Relief - Dissolution of The Tobacco Institute, Inc., The Council for Tobacco Research-U.S.A., Inc. and the Center for Indoor Air Research (November 1998)
330. 86205205-5206
331. 86205205-5206
332. 86205204-5204
333. 2015040937-0838; <http://docs.house.gov/tobacco/docs/bw/0012690847.tif>

- 334. 2015040937-0838; 2015040955-0955
- 335. CTR MN 015328-5329
- 336. <http://docs.house.gov/tobacco/docs/bw/0012690847.tif>; 03659013-9016
- 337. <http://docs.house.gov/tobacco/docs/bw/0012690847.tif>
- 338. <http://docs.house.gov/tobacco/docs/bw/0012690847.tif>
- 339. <http://docs.house.gov/tobacco/docs/bw/0012690847.tif>
- 340. <http://docs.house.gov/tobacco/docs/bw/0012690847.tif>
- 341. <http://docs.house.gov/tobacco/docs/bw/0012690847.tif>
- 342. <http://docs.house.gov/tobacco/docs/bw/0012690847.tif>
- 343. <http://docs.house.gov/tobacco/docs/bw/0012690847.tif>
- 344. <http://docs.house.gov/tobacco/docs/bw/0012690847.tif>
- 345. CTR MIN-ITC 000003-0004; JH000395-0400
- 346. CTR MIN-ITC 000003-0004; CTR MIN-ITC 000005-0006; CTR MIN-ITC 000007-0008
- 347. CTR MIN-SAB 000001-001049 at 000002; HT0128002-8023; CTR MIN-ITC 000009-0011; CTR MIN-ITC 000012-0013; CTR MIN-ITC 000014-0016; CTR MIN-ITC 000017-0019; 500500370-0373; ATX30 0000015-0017
- 348. 1002636362-6365
- 350. 202502586-2586; 2025025290-5291; 2501020298-0303; 2025025288-5289; 2025025347-5348; 2025025369-5369; 2501024571-4575; 500269225-9228; 2025024797-4803; 2025025341-5343
- 351. 502120799-0805; TIMN257288-7303; 500549436-9444
- 352. 2025048998-9014 at 8999
- 353. 2025025341-5343; 2025025369-5369

- 354. 2501020299-0303
- 355. 2501020299-0303
- 356. 500943004-3011
- 357. 500298379-8379
- 358. 502330543-0563
- 359. 500298609-8611
- 360. 1005082903-2903
- 362. TIMN0241954-1971
- 363. 2025049260-9260; 502120799-0805; 2501029902-9918
- 364. 2501029891-9901
- 365. 504934906-4953
- 366. 504934906-4953 at 4948
- 367. TIMN0144678-4678
- 368. 680585063-5064; 680585041-5042
- 369. 2501023645-3645
- 370. 104576617-6620 at 6617
- 371. 85174260-4260
- 372. 86024168-4172
- 373. 2501457517-7522
- 374. 2501474262-4265
- 375. 2015007199-7207 at 7204-7205
- 376. 2501045258-5268 at 5260, 5266

377. Deposition of Ronald Tully, United States v. Philip Morris, June 13, 2002, 86:18-95:12; TIMN362946-2952
378. 2503017001-7186
379. 2501342105-2110
380. Deposition of Ronald Tully, United States v. Philip Morris, June 13, 2002, 63:1-83:8
381. 507782317-2318
382. 2500121043-1043
383. http://tobaccodocuments.org/health_canada/30115908.html
385. Deposition of Ronald Tully, United States v. Philip Morris, June 13, 2002 at 40:17-42:11, 127:21-129:6, 179:22-180:19, 185:12-186:2, 204:24-205:7, 228:5-228:10
386. Deposition of Ronald Tully, United States v. Philip Morris, June 13, 2002 at 135:7-136:4; http://tobaccodocuments.org/guildford_misc/300515974-5990.html at 300515985
387. 515622547-2547
388. TI13040345-0424
389. 2021173016-3016
390. http://www.tobaccodocuments.org/guildford_misc/300504231-4263.html
391. <http://www.library.ucsf.edu/tobacco/batco/html/12700/12706/>, 401349242-9364
392. 1004861550-1550
393. 01192044-2044; 01192040-2040; 01192037-2037; 80507039-7043
394. <http://www.library.ucsf.edu/tobacco/batco/html/12700/12706/>, 401349242-9364 at 9243
395. <http://www.library.ucsf.edu/tobacco/batco/html/12700/12706/>, 401349242-9364 at 9243, 9245
396. 105610912-0949 at 0914

397. TINY0003106-3115 at 3108, 105408490-8499 at 8492
398. 322117427-7432
399. 322117427-7432 at 7430
400. 01138122-8123
401. 105610912-0949
402. 105610912-0949 at 0914; 1003119099-9133 at 9108
403. 100142494-2495
404. TI00682162-2163
405. 109840381-0383 at 0383
406. 101003866-3870 at 3866-3867
407. 505347172-7174 at 7172-7173
408. 503055325-5326 at 5325, 5326
410. 1003119099-9135
411. 80684691-4695
412. LG2018129-8132; LG2018124-8126; LG2018123-8123
413. LG2023460-3460
414. 04227839-7839
415. 01422304-2304
416. 85649920-9920
417. CTR MIN-BD 000001-0009; CTR MIN-MOM 00001-0015
418. CTRMIN-MOM 000016-0034
419. Deposition of Lorraine Pollice, United States v. Philip Morris, June 27, 2002, 24:11-30:5

420. LG2021550-1550; LG2023420-3421; 682069946-9946
421. LG 2024393-4400
422. LG 2024393-4400
423. 01422327-2328; Response of Defendant CTR to United States' First Set of Interrogatories, Schedule C, served February 6, 2001
424. ATX-9275490282-0284; LG 2000741-0750; 515848825-8830
425. LG 2000823-0832; 2047663658-3695; CTR LRD 004451-4451; CTR LRD 000171-0171 Deposition of Lorraine Pollice, United States v. Philip Morris, June 27, 2002, 29:14-30:5
426. 190204278-4284
428. 501543470-3517
429. 500534388-4389
430. 1000335612-5625; 1000855768-5770
431. [http://docs.house.gov/tobacco/docs/ bw/0012699136.tif](http://docs.house.gov/tobacco/docs/bw/0012699136.tif)
432. [http://docs.house.gov/tobacco/docs/ bw/0012699136.tif](http://docs.house.gov/tobacco/docs/bw/0012699136.tif)
433. [http://docs.house.gov/tobacco/docs/ bw/0012699136.tif](http://docs.house.gov/tobacco/docs/bw/0012699136.tif)
434. [http://docs.house.gov/tobacco/docs/ bw/0012699136.tif](http://docs.house.gov/tobacco/docs/bw/0012699136.tif)
435. [http://docs.house.gov/tobacco/docs/ bw/0012699136.tif](http://docs.house.gov/tobacco/docs/bw/0012699136.tif)
436. 1000126979-6984
437. 110315968-5971
438. 1003724290-4291
439. 501626469-6469
441. Affidavit of James W. Dobbins at 8, State of Minnesota v. Philip Morris, No. C1-94-8565, June 20, 1996

442. Affidavit of Lawrence E. Savell at 13, State of Minnesota v. Philip Morris, No. C1-94-8565, June 20, 1996
443. Affidavit of Lawrence E. Savell at 9, State of Minnesota v. Philip Morris, No. C1-94-8565, June 20, 1996; Affidavit of James W. Dobbins at 8, State of Minnesota v. Philip Morris, No. C1-94-8565, June 20, 1996; Affidavit of Ronald F. Bianchi at 8, State of Minnesota v. Philip Morris, No. C1-94-8565, April 7, 1997; Affidavit of Arthur J. Stevens at 8, State of Minnesota v. Philip Morris, No. C1-94-8565, April 30, 1996; Declaration of Alexander Holtzman, State of Minnesota v. Philip Morris, No. C1-94-8565, April 5, 1997; Declaration of Philip H. Cohen, State of Minnesota v. Philip Morris, No. C1-94-8565, May 23, 1997
446. 536510396-0399; 536510400-0405
449. 501650169-0169
450. 500284499-4499
451. 507647971-7975
453. 2022244451-4453
454. 1000216742-6742
455. 1003123055-3094 at 3058
456. 1000130803-0803
457. Deposition of James L. Charles, State of Minnesota v. Philip Morris, No. C1-94-8565, May 14, 1997, 48:1-60:1
458. 2000512794-2795
459. Order Granting Plaintiffs' Motion to Compel Regarding Philip Morris International at 9 and 16, State of Minnesota v. Philip Morris, No. C1-94-8565, filed March 25, 1997
460. 2043725390-5391
461. 2023237575-7575; 2023237574-7574
463. 1003293588-3588; 1003293589-3591

- 464. 2000512794-2795
- 465. 521038287-8291; 682764441-4461 at 4458
- 468. 107443680-3689
- 469. 109870594-0596
- 470. 681511202-1203, 202347085-7086
- 471. Deposition of Alan Schechter, United States v. Philip Morris, August 13, 2002, 183-185; Deposition of Alan Schechter, United States v. Philip Morris, August 14, 2002, 66
- 472. 202313423-3425; 202313429-3429
- 474. 301097079-7085; 680582454-2460; 301060827-0855; 521015579-5582
- 475. 680530888-0890
- 476. 680582253-2257
- 477. 202347085-7086; Deposition of Alan Schechter, United States v. Philip Morris, August 13, 2002, 174-175; Deposition of Alan Schechter, United States v. Philip Morris, August 14, 2002, 66, 89-91; 100190907-0909
- 478. 681511202-1203; 202347085-7086
- 479. 682508295-8295; 201069744-9744
- 480. Deposition of Graham Read, United States v. Philip Morris, May 1, 2002, 177:24-181:4; 403680929-0930
- 481. Deposition of Carol Lincoln, United States v. Philip Morris, June 27, 2002, 42:5-43:2
- 482. Deposition of Lawrence Herzberg, United States v. Philip Morris, June 26, 2002, 90:2-95:21, 118; 403680929-0930
- 484. 107333990-3991
- 485. 107443680-3689
- 486. 682004589-4590

487. 689636015-6015
488. 516967038-7038, 01416267-6267; Deposition of Alexander Spears, State of Texas v. American Tobacco Co., No. 5:96CV91, July 24, 1997, 216:11-218:23
490. Affidavit of Tara Sutton, State of Minnesota v. Philip Morris, No. C1-94-8565, April 8, 1997, ¶ 2-3
493. State of Minnesota v. Philip Morris Inc., No. C1-94-8565, 1998 WL 257214, at *9 (Minn. Dist. Ct. Mar. 7, 1998), mandamus denied sub nom., State of Minnesota v. Philip Morris, No. CX-98-414 (Minn. App. Mar. 17, 1998), petitions for further review denied sub nom., State v. Philip Morris Inc., Nos. CX-98-414, CX-98-431, 1998 WL 154543 (Minn. Mar. 27, 1998), stay denied, 523 U.S. 1056 (1998) (emphasis added)
494. State of Florida v. American Tobacco Co., No. CL 95-1466 AH (Palm Beach Cty., Fla., filed Feb. 21, 1995)
495. State of Minnesota v. Philip Morris, No. C1-94-8565 (Minn. Dist. Ct. Dec. 30, 1997)
496. State of Washington v. American Tobacco Co., No. 96-2-15056-8 SEA (King Cty. Sup. Ct. 1998)
497. Sackman v. Liggett Group, Inc., 173 F.R.D. 358, 362-364 (E.D.N.Y. 1997)
498. Burton v. R.J. Reynolds Tobacco Co., 167 F.R.D. 134, 142 (D. Kan. 1996); Burton v. R.J.Reynolds Tobacco Co., 170 F.R.D. 481, 490 (D. Kan. 1997)
499. Carter v. Brown & Williamson, Case No. 95-00934-CA, transcript at 1329-1322 (Duval Cty. Cir. Ct., Fla., July 26, 1996)
500. Haines v. Liggett Group, Inc., 140 F.R.D. 681, 689 (D.N.J. 1992), vacated on procedural grounds, 975 F.2d 81 (3d Cir. 1992)
503. 107468159-8160
504. 680585391-5392
505. 521016231-6232, 680585389-5390
506. 503114322-4322
507. 107444869-4869; 107444871-4871; 109162728-2729; 503128498-8499; 521014969-5003

- 508. 109878083-8089
- 509. 300517039-7040
- 511. Deposition of Frank Colby, State of Minnesota v. Philip Morris, No. C1-94-8565, December 17, 1997, 242-245
- 512. 536300352-0365
- 513. Deposition of Edward Horrigan, United States v. Philip Morris, October 25, 2001, 36:11-40:13; 506050931-0935
- 515. LG2001538-1538
- 516. LG2005942-5942
- 517. Deposition of Dennis Dietz, United States v. Philip Morris, July 1, 2002, 150:3-155:12; LWDOJ9290576-0582
- 519. 536510400-0405
- 520. 01421596-1600 at 1598
- 521. 536300352-0365
- 522. LG 2000741-0750
- 524. 504480626-0629; 512678701-8710; CTR98CONG 0058-0058; <http://docs.house.gov/tobacco/docs/bw/0012695353.tif>
- 525. 1003119099-9135
- 526. 512678701-8710
- 527. <http://docs.house.gov/tobacco/docs/bw/0012690844.tif>
- 528. 1001609594-9595
- 529. 110315968-5971
- 530. 110315968-5971

- 531. 01421596-1600 at 1598
- 532. 11319256-9256
- 533. 680260940-0941; 682764441-4461
- 534. 01346204-6205

II

THE ENTERPRISE IS ENGAGED IN AND AFFECTS INTERSTATE AND FOREIGN COMMERCE

2. Answer of Philip Morris Companies, Inc. to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 31, 2001, at 14; Philip Morris, Inc. Annual Reports for 1954-1984; Philip Morris Companies, Inc. Annual Reports for 1985-2001
3. About Philip Morris, available at http://www.philipmorris.com/about_pm/about_pm_main.asp; Philip Morris Companies, Inc. Annual Reports for 1985-2001
4. Answer of Philip Morris, Inc. to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 30, 2000, at 8-9
5. The 2002 Fortune 500, available at <http://www.fortune.com/fortune/fortune500>
6. Philip Morris Companies, Inc. Annual Reports for 1985 - 2001; Philip Morris Companies, Inc. Table at APP-10
7. About Philip Morris, available at http://www.philipmorris.com/about_pm/about_pm_main.asp; Supplier Diversity, available at http://www.philipmorris.com/about_pm/corp_initiatives/supplier_div.asp; Philip Morris Companies, Inc. 2001 Annual Report at 3; Answer of Philip Morris Companies, Inc. to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 30, 2000, at 9; Maxwell Tobacco Fact Book, Appendix 1 Manufacturing, Table 2 "Top World Brands 1984-2001" (2002)
8. Maxwell Tobacco Fact Book, Appendix 1 Manufacturing, Table 2 "Top World Brands 1984-2001" (2002)
9. Joint Stipulation Regarding Interstate Commerce, United States v. Philip Morris, at ¶7, filed December 10, 2002; Order #280, United States v. Philip Morris, at ¶7, filed December 11, 2002
10. Philip Morris Companies, Inc. 2001 Annual Report at 6-7
11. Answer of Philip Morris, Inc. to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 30, 2000, at 9-10; Offices and Facilities, available at http://www.philipmorrisusa.com/about_us/company_information/offices_facilities.asp

12. Philip Morris, Inc. Annual Reports for 1954-1984
13. Answer of Philip Morris to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 30, 2000, at 10
14. Philip Morris, Inc. Annual Reports for 1954-1984; Philip Morris Companies, Inc. Annual Reports for 1985 -2001; Philip Morris, Inc. Table at APP-11 to APP-12; Philip Morris Companies, Inc. 2001 Annual Report, at 1, 6
15. About Philip Morris, available at http://www.philipmorris.com/about_pm/brands/pm_usa_brands.asp; About Philip Morris, available at http://www.philipmorris.com/about_pm/brands/pm_usa_brands.asp; Philip Morris International Brands and Products, available at http://www.philipmorris.com/about_pm/brands/pm_intl_brands.asp; Answer of Philip Morris, Incorporated to the Appendix to the Complaint, United States v. Philip Morris, filed October 30, 2000, at 3, 27; Philip Morris Companies, Inc. 2001 Annual Report at 7; Deposition of Michael Szymanczyk, United States v. Philip Morris, June 13, 2002, 23:3-23:37, 49:13, 67:7-18
16. Deposition of Michael Szymanczyk, United States v. Philip Morris, June 13, 2002, 119:16-8
17. Philip Morris, Inc. 1954 Annual Report at 13
18. Joint Stipulation Regarding Interstate Commerce, United States v. Philip Morris, at ¶1, filed December 10, 2002; Order #280, United States v. Philip Morris, at ¶1, filed December 11, 2002
19. Answer, Defenses and Jury Demand of Defendant R.J. Reynolds Tobacco Company, United States v. Philip Morris, filed October 30, 2000 at 5; Annual Reports of R.J. Reynolds Tobacco Company for 1954-1969, R.J. Reynolds Industries, Inc. for 1970-1985; RJR Nabisco, Inc. for 1986-1987; RJR Nabisco, Inc. SEC Form 10-K for the Fiscal Year Ended December 31, 1988; RJR Nabisco Holdings Corp. SEC Forms 10-K for Fiscal Years 1989-1993; Annual Reports of RJR Nabisco for 1994-1998; R.J. Reynolds Tobacco Holdings, Inc. SEC Forms 10-K for Fiscal Years 1999-2001
20. R.J. Reynolds Tobacco Company 1954 Annual Report; 500434703-4724 at 4710
21. Answer, Defenses and Jury Demand of Defendant R.J. Reynolds Tobacco Company, United States v. Philip Morris, filed October 30, 2000, at 5
22. Annual Reports of R.J. Reynolds Tobacco Company for 1954-1969, R.J. Reynolds Industries, Inc. for 1970-1985, RJR Nabisco, Inc. for 1986-1987; RJR Nabisco, Inc. SEC

- Form 10-K for the Fiscal Year Ended December 31, 1988; RJR Nabisco Holdings Corp. SEC Forms 10-K for Fiscal Years 1989-1993; Annual Reports of RJR Nabisco for 1994-1998; R.J. Reynolds Tobacco Holdings, Inc. SEC Forms 10-K for Fiscal Years 1999-2001; R.J. Reynolds Tobacco Company Table at APP-13 to APP-14
23. R.J. Reynolds Tobacco Company, available at <http://www.rjrt.com/home.asp>; Welcome, available at <http://www.rjrtdi.com/INDEX.htm>; Mission Statement, available at <http://www.rjrtdi.com/mission.htm>; R.J. Reynolds Tobacco Company Fact Book, available at http://www.rjrt.com/IN/COwhoweare_corpfactbook.asp?Nav=IN; Inside RJRT, available at http://www.rjrt.com/IN/inside_cover.asp; Answer, Defenses and Jury Demand of Defendant R.J. Reynolds Tobacco Company, United States v. Philip Morris, filed October 30, 2000, at 13; 700137869-700137869; Deposition of Tommy Joe Payne, United States v. Philip Morris, March 13, 2002, 12:19-23; Deposition of Mark Smith, United States v. Philip Morris, June 25, 2002, 15:6-14
 24. Maxwell Tobacco Fact Book, Appendix 1 Manufacturing, Table 2 "Top World Brands 1984-2001" (2002)
 25. Joint Stipulation Regarding Interstate Commerce, United States v. Philip Morris, at ¶2, filed December 10, 2002; Order #280, United States v. Philip Morris, at ¶2, filed December 11, 2002
 26. Answer of Liggett Group, Inc. to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 30, 2000, at 4; Company overview, available at http://www.liggettgroup.com/pages/corporate/company_overview.html; Annual Report of Liggett and Myers Tobacco Company for 1954-1967; Annual Report of Liggett and Myers, Inc. for 1968-1974; Annual Report of Liggett Group for 1975-1978; Liggett Group, Inc. SEC Forms 10-K for Fiscal Years 1979-1982, 1988-1990; Brooke Group Ltd. SEC Forms 10-K for Fiscal Years 1991-1999; Vector Group Ltd. SEC Forms 10-K for Fiscal Years 2000-2001
 27. Annual Report of Liggett and Myers Tobacco Company for 1954-1967; Annual Report of Liggett and Myers, Inc. for 1968-1974; Annual Report of Liggett Group for 1975-1978; Liggett Group, Inc. SEC Forms 10-K for Fiscal Years 1979-1982, 1988-1990; Brooke Group Ltd. SEC Forms 10-K for Fiscal Years 1991-1999; Vector Group Ltd. SEC Forms 10-K for Fiscal Years 2000-2001; Liggett and Myers Tobacco Company 1955 Annual Report at 8; Company Overview, available at http://www.liggettgroup.com/pages/corporate/company_overview.html
 28. Answer of Liggett Group, Inc. to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 30, 2000, at 4
 29. Annual Report of Liggett and Myers Tobacco Company for 1954-1967; Annual Report of

- Liggett and Myers, Inc. for 1968-1974; Annual Report of Liggett Group for 1975-1978; Liggett Group, Inc. SEC Forms 10-K for Fiscal Years 1979-1982, 1988-1990; Brooke Group Ltd. SEC Forms 10-K for Fiscal Years 1991-1999; Vector Group Ltd. SEC Forms 10-K for Fiscal Years 2000-2001; Table at APP-17 to APP-18
30. Annual Report of Liggett and Myers Tobacco Company for 1954-1967; Annual Report of Liggett and Myers, Inc. for 1968-1974; Annual Report of Liggett Group for 1975-1978; Liggett Group, Inc. SEC Forms 10-K for Fiscal Years 1979-1982, 1988-1990; Brooke Group Ltd. SEC Forms 10-K for Fiscal Years 1991-1999; Vector Group Ltd. SEC Forms 10-K for Fiscal Years 2000-2001; Table at APP-17 to APP-18
 31. Vector Group, Ltd. SEC Form 10-K for Fiscal Year 2001, dated April 1, 2002
 32. Company overview, available at http://www.liggettgroup.com/pages/corporate/company_overview.html; Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 84:17-85:7; Manufacturing, available at <http://www.liggettgroup.com/pages/manufacturing/manufacturing.html>; Deposition of Harold J. Petch, United States v. Philip Morris, Inc., October 12, 2001, 13:24-14:2; Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 23:4-9
 33. Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 102:7-12
 34. Joint Stipulation Regarding Interstate Commerce, United States v. Philip Morris, at ¶1, filed January 27, 2003; Order #308, United States v. Philip Morris, at ¶1, filed January 31, 2003
 35. Answer, Affirmative Defenses, and Jury Demand of Lorillard Tobacco Company, United States v. Philip Morris, filed October 30, 2000, at 7; Loew's Corp. SEC Form 10-Q filed Nov. 22, 2002, available at <http://www.sec.gov/Archives/edgar/data/60086/000006008602000026/septq.txt>
 36. P. Lorillard Company, Inc. Annual Report for the Year Ended December 31, 1954; 89300905-0928 at 0907
 37. Deposition of Kathleen A. Sparrow, United States v. Philip Morris, Inc., February 25, 2002, 57:6-7
 38. P. Lorillard Company, Inc. Annual Report for the Year Ended December 31, 1954; 89300905-0928 at 0907; Who is Lorillard Tobacco Company?, available at <http://www.lorillard.net/faq.html>
 39. Answer, Affirmative Defenses, and Jury Demand of Lorillard Tobacco Company, United

States v. Philip Morris, filed October 30, 2000, at 7

40. P. Lorillard Company, Inc. Annual Reports for 1954-1967; Lorillard Corporation SEC Form 10-K for the Fiscal Year Ending December 31, 1968, 93455701-5726; Loews Corporation Annual Reports for 1969-1970, 1972-1973, 1976-1983, 1993-1997, 1999, 2001; Loews Corporation SEC Form 10-K for the Four Months Ended December 31, 1974; Loews Corporation SEC Forms 10-K for Years 1975, 1984-1992, 1998, 2000; Lorillard, Inc. Table at APP-19 to APP-20
41. P. Lorillard Company, Inc. Annual Reports for 1954-1967; Lorillard Corporation SEC Form 10-K for the Fiscal Year Ending December 31, 1968; 93455701-5726; Loews Corporation Annual Reports for 1969-1970, 1972-1973, 1976-1983, 1993-1997, 1999, 2001; Loews Corporation SEC Form 10-K for the Four Months Ended December 31, 1974; Loews Corporation SEC Forms 10-K for Years 1975, 1984-1992, 1998, 2000; Lorillard, Inc. Table at APP-19 to APP-20
42. Loews Corporation 2001 Annual Report at 94
43. Loews Corporation 2001 Annual Report at 4; Deposition of Martin Orłowsky, United States v. Philip Morris, June 5, 2002, 257:24-259:14; Deposition of Kathleen A. Sparrow, United States v. Philip Morris, February 25, 2002, 10:19-20, 87:9-11
44. Maxwell Tobacco Fact Book, Appendix 1 Manufacturing, Table 2 "Top World Brands 1984-2001" (2002)
45. Joint Stipulation Regarding Interstate Commerce, United States v. Philip Morris, at ¶5, filed December 10, 2002; Order #280, United States v. Philip Morris, at ¶5, filed December 11, 2002
46. Answer, Defenses and Jury Demand of British American Tobacco (Investments) Limited, United States v. Philip Morris, filed October 31, 2000, at 8
47. Our Company, available at http://www.bat.com/oneweb/sites/uk__3mnfen.nsf/vwPagesWebLive/DO52ADCY?open document&TMP=; Facts About Brown and Williamson Tobacco Corporation, available at http://www.brownandwilliamson.com/Index_sub2.cfm?ID=10; Deposition of Paul Adams, United States v. Philip Morris, August 22, 2002, 22:12-5
48. Objections and Responses of Defendant British American Tobacco (Investments) Limited to Plaintiff United States' First Set of Interrogatories to Defendants, dated March 15, 2002, at 56-57
49. Objections and Responses of Defendant British American Tobacco (Investments) Limited

- to Plaintiff United States' First Set of Interrogatories to Defendants, dated March 15, 2002, at 58
50. Objections and Responses of Defendant British American Tobacco (Investments) Limited to Plaintiff United States' First Set of Interrogatories to Defendants, dated March 15, 2002, at 57; 2001 British American Tobacco Annual Review and Summary Financial Statement 2001 at 23, available at http://www.bat.com/oneweb/sites/uk__3mnfen.nsf/vwPagesWebLive/C7E1095BB1D02C3B80256BF40003313D?opendocument&TMP=1; Deposition of Christopher Proctor, United States v. Philip Morris, May 7, 2002, 62:13-15; Deposition of Paul Adams, United States v. Philip Morris, August 23, 2002, 203:25-204:7
 51. Joint Stipulation Regarding Interstate Commerce, United States v. Philip Morris, at ¶6, filed December 10, 2002; Order #280, United States v. Philip Morris, at ¶6, filed December 11, 2002
 52. Brown & Williamson's Answers, Defenses and Jury Demand to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 31, 2000, at 10, 12; Facts About Brown and Williamson Tobacco Company, available at http://www.bw.com/Index_sub2.cfm?ID=7
 53. Facts About Brown and Williamson Tobacco Company, available at http://www.bw.com/Index_sub2.cfm?ID=7
 54. Commodities Purchased, available at http://www.bw.com/index_sub2.cfm?Page=/BWT/Index.cfm%3FID%3D190%26Sect%3D4
 55. Brown & Williamson's Answers, Defenses and Jury Demand to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 31, 2000, at 11
 56. Facts About Brown and Williamson Tobacco Company, available at http://www.bw.com/Index_sub2.cfm?ID=7
 57. Response of Brown & Williamson Tobacco Corporation to United States' First Set of Interrogatories to Defendants, dated February 6, 2001, at 109; Brown and Williamson Tobacco Corporation Table at APP-15
 58. British American Tobacco Annual Review and Summary Financial Statement 2001 at 23, available at http://www.bat.com/oneweb/sites/uk__3mnfen.nsf/vwPagesWebLive/C7E1095BB1D02C3B80256BF40003313D?opendocument&TMP=1

59. Brown & Williamson's Answers, Defenses and Jury Demand to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 31, 2000, at 11; Facts About Brown and Williamson Tobacco Company, available at http://www.bw.com/Index_sub2.cfm?ID=7; Retail Store Locator, available at http://www.bw.com/Index_sub2.cfm?ID=7; Deposition of Nicholas Brookes, United States v. Philip Morris, May 2, 2002, 28:20-22; Deposition of Mark Smith, United States v. Philip Morris, June 25, 2002, 6:1-8:23; Deposition of Michael R. Diven, United States v. Philip Morris, August 15, 2002, 7:14-9:1, 17:21-18:11
60. Joint Stipulation Regarding Interstate Commerce, United States v. Philip Morris, at ¶3, filed December 10, 2002; Order #280, United States v. Philip Morris, at ¶3, filed December 11, 2002
61. Brown & Williamson's Answers, Defenses and Jury Demand to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 31, 2000, at 2, 11
62. MNAT 00029599-9644 at 9603; MNAT 00029697-9748 at 9703; MNAT 00029749-9799 at 9755; MNAT 00029645-9696 at 9651; MNAT 00029551-9598 at 9557
63. Brown & Williamson's Answers, Defenses and Jury Demand to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 31, 2000, at 11
64. The American Tobacco Company, Inc. Annual Reports for 1945 - 1968; American Brands, Inc. Annual Reports for 1969-1993; American Tobacco Company Table at APP-16
65. American Brands 1993 Annual Report at 2, 9
66. Joint Stipulation Regarding Interstate Commerce, United States v. Philip Morris, at ¶4, filed December 10, 2002; Order #280, United States v. Philip Morris, at ¶4, filed December 11, 2002
67. Answer, Defenses and Jury Demand of The Tobacco Institute, Inc., United States v. Philip Morris, filed October 30, 2000, at 16
68. TI 1259-2380 to 1259-2389 at 2380, 2382
69. Response of Brown & Williamson Tobacco Corporation to United States' First Set of Interrogatories to Defendants, United States v. Philip Morris, served February 6, 2001, at 97-103; Liggett Group Inc.'s Objections and Responses to United States' First Set Of Interrogatories to Defendants, United States v. Philip Morris, served February 6, 2001, at

- 54-56; Lorillard Tobacco Company's Responses to United States' First Set of Interrogatories to Defendants, United States v. Philip Morris, served February 6, 2001, at 40-44; Philip Morris Incorporated's Responses to United States' First Set of Interrogatories to Defendants, United States v. Philip Morris, served February 6, 2001, at 71-73; Response of R.J. Reynolds Tobacco Company to Plaintiff United States' First Set of Interrogatories, United States v. Philip Morris, served February 6, 2001, at 132-135; Tables at APP-7 to APP-9
70. TFAL 0000001-0010 at 0009; 2023390612-0616 at 0614; 81616559-6562 at 6561 ; 81616516-6520 at 6518; 89694214-4220 at 4216; 89693636-3641 at 3638; 89696116-6124 at 6118; 89693336-3342 at 3338; 89693376-3384 at 3378; TIOK 0000243-0249 at 0245; TIOK 0000250-0256 at 0252; TIOK 0000257-0265 at 0259; TIOK 0000266-0273 at 0268; TIOK 0000274-0281 at 0276; TIOK 0000282-0286 0284; TIOK 0000290-0297 at 0292, TICT 0009911-9918 at 9913; TIOK 0000298-0304 at 0300, TICT 0009919-9925 at 9921; TIOK 000305-0312 at 0307, TICT 0009888-9895 at 9890; TIOK 000313-0320 at 0315, TICT 0009896-9903 at 9898; TIOK 000321-0327 at 0323 TICT 0009904-9910 at 9906; TI1635-2199 to 2432 at 2202 to 2211, 2271 to 2282, 2290 to 2294, 2309 to 2313, 2339 to 2341, 2368 to 2368, 2393 to 2395; TI1635-1836 to 1838; TICT 0009885 - 9887; TICT 0009871-9874; TICT0009863-9866; TICT0009867-9870
71. TI08970899-0899; Impropaganda Review, "Council for Tobacco Research," available at <http://www.prwatch.org/improp/ctr.html>
72. Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002, 67:19 - 68:19; TI16370185-0402 at 0329, 0330, 0341, 0366; TI16290292-0292
73. Answer of Defendant The Council for Tobacco Research - U.S.A., Inc. to Plaintiff's Complaint for Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, filed October 30, 2000, at 4, 6; 70047927-7952
74. 70047927-7952 at 7929
75. Response of Brown & Williamson Tobacco Corporation to United States' First Set of Interrogatories to Defendants, United States v. Philip Morris, served February 6, 2001, at 97-103; Liggett Group Inc.'s Objections and Responses to United States' First Set Of Interrogatories to Defendants, United States v. Philip Morris, served February 6, 2001, at 54-56; Lorillard Tobacco Company's Responses to United States' First Set of Interrogatories to Defendants, United States v. Philip Morris, served February 6, 2001, at 40-44; Philip Morris Incorporated's Responses to United States' First Set of Interrogatories to Defendants, United States v. Philip Morris, filed February 6, 2001, at 71-73; Response of R.J. Reynolds Tobacco Company to Plaintiff United States' First Set of Interrogatories, United States v. Philip Morris, served February 6, 2001, at 132-135; Response of Defendant The Council for Tobacco Research - U.S.A., Inc. to Plaintiff's

- First Set of Interrogatories, United States v. Philip Morris, served February 6, 2001, at Schedule C; Table at APP-1
76. 60042239-2257; 60042281-2297; 60042374-2392; 60042594-2611; 60042406-2423; 60042490-2504; 60042788-2795; 60042815-2847; 60042927-2946; 60042970-2977; 60043072-3079; 60043084-3092; 60043093-3104; 60043105-3118; 60043119-3140; 70000291-0301; 70000291-0301; 70056065-6076
 77. Response of Defendant The Council for Tobacco Research - U.S.A., Inc. to Plaintiff's First Set of Interrogatories, United States v. Philip Morris, served February 6, 2001, at Schedule C; Table at APP-1 to APP-3; Table at APP-5 to APP-6
 78. Answer of Council for Tobacco Research - U.S.A., Inc., United States v. Philip Morris, filed October 30, 2000, at 9; Deposition of Lorraine Pollice, United States v. Philip Morris, June 27, 2002, 43:10-54:18, 61:4-15; Response of Defendant The Council For Tobacco Research - U.S.A., Inc. To Plaintiff's First Set of Interrogatories, United States v. Philip Morris, served February 6, 2001, at Schedule C
 79. 50019509-9509
 80. 2028436582-6590; 2046089505-9508; 0000117458-7467; 2010045520-5526
 81. Deposition of Lorraine Pollice, United States v. Philip Morris, June 27, 2002, 72:18-73:13

IV

DEFENDANTS DEvised AND EXECUTED A SCHEME TO DEFRAUD CONSUMERS AND POTENTIAL CONSUMERS OF CIGARETTES

A. Adverse Health Effects

2. Centers for Disease Control and Prevention, Smoking-Attributable Mortality and Years of Potential Life Lost—United States, 1994, MMWR, 46(22):444-450 (May 23, 1997); Thun M., Myers D., Day-Lally C., Namboodiri M., Calle E., Flanders W.D., Adams S., Heath Jr. C., Age and the Exposure-Response Relationships Between Cigarette Smoking and Premature Death in Cancer Prevention Study II, Chapter 5, Smoking and Tobacco Control Monograph 8: Changes in Cigarette-Related Disease Risks and Their Implications for Prevention and Control, National Institutes for Health – National Cancer Institute, p. 383-476 (1997); Expert Report of Timothy Wyant, Ph.D. and Scott Zeger, Ph.D. in United States v. Philip Morris; Expert Report of Leonard Miller, Ph.D. in United States v. Philip Morris; Expert Report of David M. Burns, M.D. in United States v. Philip Morris; Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
3. Greenlee, R. T., Hill-Harmon, M.B., Murray, T., and Thun, M., Cancer Statistics 2001, CA Cancer J Clin, 51: 15-36, 2001; Peto, R., Lopez, A.D., Boreham, J., Thun, M., Heath, C., Jr., and Doll, R., Mortality from smoking worldwide, Br Med Bull., 52:12-21 (1996); Expert Report of Paul A. Bunn, Jr., M.D. in United States v. Philip Morris
4. Greenlee, R. T., Hill-Harmon, M.B., Murray, T., and Thun, M., Cancer Statistics 2001, CA Cancer J Clin, 51: 15-36 (2001); Expert Report of Paul A. Bunn, Jr., M.D. in United States v. Philip Morris
5. Wistuba, I. I., Lam, S., Behrens, C., Virmani, A. K. Fong, K. M., LeRiche, J., Samet, J. M., Srivastava, S., Minna, J. D., and Gazdar, A. F., Molecular damage in the bronchial epithelium of current and former smokers, J. Natl Cancer Inst., 89: 1366-1373 (1997); Wistuba, I. I., Behrens, C., Milchgrub, S., Bryant, D., Hung, J., Minna, J. D., and Gazdar, A. F., Sequential molecular abnormalities are involved in the multistage development of squamous cell lung carcinoma, Oncogene 18: 643-650 (1999); Expert Report of Paul A. Bunn, Jr., M.D. in United States v. Philip Morris
6. Tong, L., Spitz, M.R., Fueger, J. J., and Amos, C. A., Lung carcinoma in former smokers, Cancer 78: 1004-1010 (1996); Expert Report of Paul A. Bunn, Jr., M.D. in United States v. Philip Morris

7. Greenlee, R. T., Hill-Harmon, M.B., Murray, T., and Thun, M. Cancer Statistics 2001, CA Cancer J Clin, 51: 15-36 (2001); Expert Report of Paul A. Bunn, Jr., M.D. in United States v. Philip Morris
8. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
9. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
10. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
11. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
12. Expert Report of Ira S. Ockene, M.D. in United States v. Philip Morris
13. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
14. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
15. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
16. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
17. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
18. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
19. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
20. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
21. Expert Report of Michael Weitzman, M.D. in United States v. Philip Morris
22. Surgeon General's Advisory Committee on Smoking and Health, Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health Service, Washington, DC: US Department of Health, Education, and Welfare, Public Health Service, p. 135 (1964); E. Cuyler Hammond, The Effects of Smoking, Scientific American, July, 1962, at 40-41; Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
23. Surgeon General's Advisory Committee on Smoking and Health, Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health Service, Washington, DC: US Department of Health, Education, and Welfare, Public Health

- Service, p. 45 (1964)
24. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
 25. Lombard, Herbert L. and Carl R. Doering, Cancer Studies in Massachusetts: Habits, Characteristics and Environment of Individuals With and Without Cancer, New England Journal of Medicine 196.10: 481-487 (1928)
 26. Hoffman, Frederick L., Cancer and Smoking Habits, Annals of Surgery 93: 50-67 (1931)
 27. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
 28. Hoffman, Frederick L., Cancer and Smoking Habits, Annals of Surgery 93:67 (1931); Pearl, Raymond, Tobacco Smoking and Longevity, Science, March 4, 1938, at 216-217; F. H. Muller, Abuse of Tobacco and Carcinoma of the Lungs, Journal of the American Medical Association (JAMA) (translation of the original from Zeitschrift fur Krebsforschung, Berlin), September 30, 1939, at 1372
 29. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
 30. Doll, Richard, and A. Bradford Hill, Smoking and Carcinoma of the Lung: Preliminary Report, British Medical Journal (1950)
 31. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
 32. Doll, Richard, and A. Bradford Hill, Smoking and Carcinoma of the Lung: Preliminary Report, British Medical Journal 747 (1950)
 33. Doll, Richard, and A. Bradford Hill, Smoking and Carcinoma of the Lung: Preliminary Report, British Medical Journal 747 (1950)
 34. Webster, Charles, Tobacco Smoking Addiction: A Challenge to the National Health Service, British Journal of Addiction 79: 7 (1984)
 35. Doll, Richard, and A. Bradford Hill, A study of the aetiology of carcinoma of the lung, British Medical Journal 2: 1271, 1283 (1952)
 36. Wynder, Ernst L., and Evarts A. Graham, Tobacco smoking as a possible etiologic factor in bronchiogenic carcinoma: a study of 684 proved cases, JAMA 143.4:336 (1950)

37. Levin, Morton L., Hyman Goldstein, and Paul R. Gerhardt, Cancer and Tobacco Smoking: A Preliminary Report, JAMA 143.4: 336, 337 (1950)
38. Wynder, Ernst L., Everts A. Graham, and Adele B. Croninger, Experimental Production of Carcinoma with Cigarette Tar, Cancer Research 13.12: 855-864 (1953)
39. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris
40. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris
41. Ochsner, Alton, My first recognition of the relationship of smoking and lung cancer, Preventive Medicine 2:611-14 (1973); Auerbach, Oscar, et al., Changes in the Bronchial Epithelium in Relation to Smoking and Cancer of the Lung: A Report of Progress, New England Journal of Medicine 256.3:104 (1957); Auerbach, Oscar, et al., Changes in the Bronchial Epithelium in Relation to Cigarette Smoking and in Relation to Lung Cancer, New England Journal of Medicine 265.6: 253-267 (1961); Auerbach, Oscar, E. Cuyler Hammond, and Lawrence Garfinkel, Changes in the Bronchial Epithelium in Relation to Cigarette Smoking, 1955-1960 vs. 1970-1977, New England Journal of Medicine 300.8:381-386 (1979)
42. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris
44. 800431008-1008; 89749589-9590; 2022971953-1953; 2061004941-4941
45. Liggett Advertisement, "Fredric March Says - This Is It "L & M Filters Are Just What the Doctor Ordered," 1954
46. 98248074-8078
47. 508775416-5416
48. JH 000493-0501 at 0500
49. 00111111-1130
50. 1005039779-9783 at 9783
51. JH 000493-0501 at 0495
52. 86017454-7454
53. 86017454-7454

54. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
55. 11310600-0601 at 0601
56. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
57. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
58. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
59. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
60. 500028279-8300
61. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
62. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris
63. 11310464-0500
64. 11310464-0500
65. CTRMN007295-7297
66. 501773418-3466
67. 501773418-3466
68. 501773418-3466
69. 501773418-3466; Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris
70. 501773418-3466; Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Robert Proctor, Ph.D. in United States v. Philip Morris
72. 2022239339-9343

73. 1005039987-0008; 2023335303-5304
74. Tobacco Unit Assails Report, New York Daily Mirror, October 13, 1954; Wall Street Journal, October 12, 1954
76. CTRMN004957-4959
77. 500034021-4021
78. 681510669-0689
79. TM0020056-0065
80. TIMN123324-3327
81. 511018410-8413; TIMN0070640-0656; TIMN0070657-0674; TIMN0081443-1457; TIMN0016964-6982
82. TIMN0071488-1488
83. 1002366508-6519
84. E. C. Hammond and D. Horn, Smoking and Death Rates--Report on 44 Months of Follow-up of 187,783 Men: Part II Death Rates by Cause, JAMA 166:1294 (1958); TIRC Report on Progress of Cancer, Heart Research, Tobacco and Health Report, June/July, 1960, at 2
85. 11313243-11313244; TIMN123314-3317
86. 500518708-8711
87. TIMN436721-6734
88. TIMN0122775A-2775A
89. MNAT00903136-3136
90. 500518759-8761
94. 65020092-0092
95. 501932947-2968

96. 501008241-8293
97. TIOK0034800-4803
98. 504822847-2852
99. TINY0003106-3116
100. Deposition of David Townsend, United States v. Philip Morris, July 24, 2002, 179-181
101. Deposition of Alexander Spears, Blue Cross and Blue Shield of New Jersey v. Philip Morris Inc., 18-CIV-3287 (JBW) (D.N.J.), March 23, 2000, 144:4-22
103. 2023226912-6913
104. 1000305086-5087
105. 1005039423-9424
106. 1005039476-9480 at 9478
107. 2023193305-3328
108. 1001882121-2122
109. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; 500518873-8875 at 8874
111. 2021382496-2498
112. 2022969727-9728
113. 515857280-7282 at 7281
115. Strong, Frank M., et al., Smoking and Health: Joint Report of the Study Group on Smoking and Health, Science 124: 1129-1133 (1957)
116. Strong, Frank M., et al., Smoking and Health: Joint Report of the Study Group on Smoking and Health, Science 124: 1129 (1957)
117. Hammond, E. Cuyler, and Daniel Horn, Smoking and Death Rates--Report on Forty-four Months of Follow-up of 187,783 Men, JAMA, 2840-2857 (March 15, 1958)

118. Cornfield, Jerome, et al., Smoking and Lung Cancer: Recent Evidence and Discussion of Some Questions, Journal of the National Cancer Institute 22.1:173, 195 (1959)
119. Cornfield, Jerome, et al., Smoking and Lung Cancer: Recent Evidence and Discussion of Some Questions, Journal of the National Cancer Institute 22.1:198 (1959)
120. Burney, Leroy E., Smoking and lung cancer: a statement of the Public Health Service, JAMA 71: 1835 (1959)
121. Burney, Leroy E., Smoking and lung cancer: a statement of the Public Health Service, JAMA 71: 1835-36 (1959)
122. World Health Organization, Epidemiology of cancer of the lung: Report of a study group, WHO Technical Reports: 192 (1960)
123. Royal College of Physicians of London. Smoking and Health: Summary and Report of the Royal College of Physicians of London on Smoking in Relation to Cancer of the Lung and Other Diseases, 1 (New York, London: Pitman Publishing Company, 1962)
124. Dawber T, Kannel W, Revotskie N, Stokes J, Kagan A, Gordon T, Some factors associated with the development of coronary disease: Six years' follow-up experience in the Framingham study, Amer J Public Health: 1349-1356 (1959); Kannel B., Some lessons in cardiovascular epidemiology from Framingham, Am J Cardiol 37:269-82 (1976); Expert Report of Ira S. Ockene, M.D. in United States v. Philip Morris
125. Doll, R. and Hill, A., Lung cancer and other causes of death in relation to smoking. Brit Med J 2:1071-81 (1956)
126. Doyle J, Heslin A, Hillehoe H, Formel P, Early diagnosis of ischemic heart disease, New Eng J Med 261:1096-1101 (1959); Expert Report of Ira S. Ockene, M.D. in United States v. Philip Morris
127. Pooling Project Research Group, Relationship of blood pressure, serum cholesterol, smoking habit, relative weight and ECG abnormalities to incidence of major coronary events: final report of the Pooling Project, J Chronic Dis 31:201-306 (1978); Liu K, Cedres LB, Stamler J, et al., Relationship of education to major risk factors and death from coronary heart disease, cardiovascular diseases and all causes, Findings of three Chicago epidemiologic studies, Circulation 66:1308-14 (1982); Kemp HG, Kronmal RA, Vlietstra RE, Frye RL, Seven year survival of patients with normal or near normal coronary arteriograms: a CASS registry study, J Am Coll Cardiol 7:479-83 (1986); Alpert J, Braunwald E, Pathological and clinical manifestations of acute myocardial infarction, in Heart Disease: A Textbook of Cardiovascular Medicine, Volume 2, 1309-1352 (Braunwald E. ed., 1980); Expert Report of Ira S. Ockene, M.D. in United States v. Philip

Morris

128. MNAT00515648-5651
129. 503283464-3467
130. HT0145148-5150 at 5148
132. TIMN0110091-0091
133. TIMN0104428-4428
135. TIMN0130830-0831
136. 1005136953-6957 at 6955
138. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris
139. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris
140. Surgeon General's Advisory Committee on Smoking and Health, Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health Service, Washington, DC: US Department of Health, Education, and Welfare, Public Health Service, p. 9 (1964); Fritschler, A. Lee, Smoking and Politics 42 (Englewood Cliffs, NJ: Prentice Hall, 1975)
141. Surgeon General's Advisory Committee on Smoking and Health, Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health Service, Washington, DC: US Department of Health, Education, and Welfare, Public Health Service, p. 14 (1964)
142. Terry, Luther L., The Surgeon General's first report on smoking and health: A challenge to the medical profession, New York State Journal of Medicine 1254 (December 1983)
143. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Surgeon General's Advisory Committee on Smoking and Health, Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health Service, Washington, DC: US Department of Health, Education, and Welfare, Public Health Service (1964)
144. Surgeon General's Advisory Committee on Smoking and Health, The Nature, Purpose and Suggested Formulation of the Study of the Health Effects of Smoking, Phase I, National Archives, Record Group 90, Typescript, p. 1

145. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris
146. Surgeon General's Advisory Committee on Smoking and Health, Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health Service, Washington, DC: US Department of Health, Education, and Welfare, Public Health Service, pp. 182-185 (1964)
147. Expert Report of Allan M. Brandt, Ph.D. in United States v. Philip Morris; Expert Report of Ira S. Ockene, M.D. in United States v. Philip Morris
148. Surgeon General's Advisory Committee on Smoking and Health, Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health Service, Washington, DC: US Department of Health, Education, and Welfare, Public Health Service, p. 31 (1964)
149. Surgeon General's Advisory Committee on Smoking and Health, Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health Service, Washington, DC: US Department of Health, Education, and Welfare, Public Health Service, p. 143-45, 165 and 33 (1964)
150. Surgeon General's Advisory Committee on Smoking and Health, Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health Service, Washington, DC: US Department of Health, Education, and Welfare, Public Health Service, p. 35-36 (1964)
151. Surgeon General's Advisory Committee on Smoking and Health, Smoking and Health: Report of the Advisory Committee to the Surgeon General of the Public Health Service, Washington, DC: US Department of Health, Education, and Welfare, Public Health Service, p. 35-36 (1964)
155. 500062010-2018 at 2011, 2015
156. TIMN0131426-1426
157. TIMN0118348-8349 at 8348
158. TIMN0104311-4312
159. TIMN0098597-8598 at 8598
160. TIMN0104251-4256 at 4254, 4256
161. TIMN0118249-8250 at 8249

162. TIMN0118245-8246
163. TIMN0118245-8246
165. 1005038559-8561
166. Tobacco Industry Says More Research Is Needed: State Laws on Labeling Possible, Wall Street Journal, January 13, 1964
167. 508775085-5090
168. 501935056-5071
169. TIMN013181-3181
170. MNAT00287815-7818 at 7815
171. TIMN0104477-4478
172. 1003041092-1097
173. 1003041092-1097
174. TIMN0123790-3793 at 3790
175. TIMN0099040-9041 at 9040
176. Expert Report of David M. Burns, M.D. in United States v. Philip Morris
177. Expert Report of David M. Burns, M.D. in United States v. Philip Morris
178. Expert Report of David M. Burns, M.D. in United States v. Philip Morris
179. Expert Report of David M. Burns, M.D. in United States v. Philip Morris
180. Expert Report of David M. Burns, M.D. in United States v. Philip Morris
181. Expert Report of David M. Burns, M.D. in United States v. Philip Morris; United States Surgeon General's Reports, as cited
182. Expert Report of David M. Burns, M.D. in United States v. Philip Morris
183. Expert Report of David M. Burns, M.D. in United States v. Philip Morris

186. 92382009-2011 at 2010
188. 2015068601-8612 at 8603; 2010035814-5818
189. 1005109086-9106; TITX0020537-0542, TIMN0070816-0821
190. TIMN0070973-0975 at 0975
191. TINY0006498-6601 at 6535-6536, TIMN0104765-4868 at 4802-4803
192. TIMN0004217-4218
193. TIMN0070240-0241; TIMN0070249-0254; TIMN0070244-0244; TIMN0004217-4218; TIMN0123343-3345; TIMN0070262-0263; TIMN0070270-0270; TIMN0070309-0309; TIMN0070307-0307; TIMN0070275-0275; TIMN0070304-0304; TIMN0070274-0274; TITX0000190-0190; TIMN0070295-0295; TIMN0070301-0301; TIMN0070257-0257; TIMN0070324-335
194. 690012994-2994; TIMN0016964-6982; TIMN0070262-0263; TIMN0070270-0270; TIMN0070309-0309; TIMN0070307-0307; TIMN0070275-0275; TIMN0070304-0304; TIMN0070274-0274; TITX0000190-0190; TIMN0070295-0295; TIMN0070301-0301; TIMN0070257-0257; TIMN0070324-0335; TIMN0071401-1401
195. TIMN0070242-0242; TIMN0070816-0821; TIMN0016964-6964; TIMN0071398-1398; 1005112459-2461
196. 502644592-4616 at 4595
197. TIMN0071488-1491 at 1489
198. 1002401761-1761
199. 1000313777-3779 at 3779
200. TIMN395434-5437; 1005036071-6071
201. 670307882-7883
202. 1005132848-2849; 1005153098-3099; TIMN243001-3001; TIMN0081698-1698; The Wall Street Journal, March 3, 1969; TIMN0000560-0561; TIMN0081695-1695
203. 690010951-0959 at 0954

204. 650332832-2839
205. 1005152849-2896; HK0108004-8004
206. 1005132832-2832; 1005132842-2842; 005132840-2840; 005132841-2841
208. TIMN0081949-1949
209. 2010008819-8822 at 8820
210. 500015901-5905 at 5902
211. T076378-6379, State of Washington v. American Tobacco Co., 96-2-15056, Exhibit No. 844
212. ZN16062-6065 at 6063, 6065
213. 500004807-4809 at 4807
214. TIMN0081352-1352; 2010008873-8873; 2010008812-8881; 1005132832-2832
215. TIMN0121524-1527; TIMN 0395428-5429 at 5429
216. TIMN0263390-3393; TIMN0121463-1646
217. 1005111528-1575; 690014815-4838; TIMN0080470-0477; 03768320-8337; TIMN0263390-3393
219. 1002605545-5564 at 5550, 5560, 690003632-3650 at 3636, 3646
220. 1002605545-5564 at 5561-62, 690003632-3650 at 3647-48; 1000211305-1305
221. TIMN0123716-3720 at 3717
222. 2001052715-2718 at 2718
223. TIMN0131768-3769 at 3769
224. TIMN0121524-1527; 500005148-5148; 500013882
225. TIMN 0100469-0470 at 0469
226. 500324162-4164 at 4163

227. TIMN0120596-0597, T505211-5212
228. TIMN012060602-0603 at 0602, T505217-5218 at 5217
229. TIMN0120596-0597
230. 87657703-7706 at 7705
231. TIMN0124460-4460
232. TIMN0017604-7612; TIFL052969-9880, TIMN217628-7639
233. 680113760-3763
234. TIMN0083360-3360; TIMN0083361-3368; TIMN0083371-3371; TIMN0083397-3397;
TIMN0083401-3401; TIFL0069486-9488
237. 2023855852-5970
238. 1000335612-5625
239. 504912643-2713 at 2705
240. 504912643-2713 at 2705
241. 501013277-3277
242. 1003119099-9135 at 9115
243. 1000341400-1414
244. 1000342063-2073 at 2065
245. 1005137411-7413
246. LG0298943-8944 at 8943
247. 1000211305-1305
248. 2025010581-0583 at 0581
250. 1001882748-2748

251. 110315968-5970
253. 1000837391-7392 at 7392
254. 682011667-1671 at 1668
255. 321993992-3995 at 3992, 3994
257. Deposition of Alexander W. Spears III, Cippolone v. Liggett, (D.N.J.), July 26, 1984, 190-191
258. 2022200161-0163 at 0161
259. 500020977-0978
260. 502859720-9739
261. 501547434-7448 at 7444
262. 516966953-6953
263. 109938433-8436
264. 110069816-1989
265. 500269473-9474 at 9474
266. 501557495-7496 at 7496
267. 100214029-4047
268. Trial Testimony of Gary Huber (via deposition), Dunn & Wiley v. RJR Nabisco Holding Corp., No. 18D01-9305-CT-06 (Ind.), March 3, 1998, 5473:2-13, 5484:5-5485:2
269. Trial Testimony of Gary Huber (via deposition), Dunn & Wiley v. RJR Nabisco Holding Corp., No. 18D01-9305-CT-06 (Ind.), March 3, 1998, 5499:13-5500:13, 5475:3-5476:3, 5497:19-24
270. Trial Testimony of Gary Huber (via deposition), Dunn & Wiley v. RJR Nabisco Holding Corp., No. 18D01-9305-CT-06 (Ind.), March 3, 1998, 5500:14-15
271. Trial Testimony of Gary Huber (via deposition), Dunn & Wiley v. RJR Nabisco Holding Corp., No. 18D01-9305-CT-06 (Ind.), March 3, 1998, 5477:9-23, 5513:25-5515:2

272. Trial Testimony of Gary Huber (via deposition), Dunn & Wiley v. RJR Nabisco Holding Corp., No. 18D01-9305-CT-06 (Ind.), March 3, 1998, 5478
273. Trial Testimony of Gary Huber (via deposition), Dunn & Wiley v. RJR Nabisco Holding Corp., No. 18D01-9305-CT-06 (Ind.), March 3, 1998, 5468:3-13, 5487:20-5488:4; Deposition of Alexander W. Spears III, State of Texas v. American Tobacco Co., No. 5:96CV91, July 24, 1997, 236:7-18; Deposition of Alexander W. Spears III, Cippolone v. Liggett, (D.N.J.), July 26, 1984, 177-81
274. 1005053856-3856
275. Trial Testimony of Gary Huber (via deposition), Dunn & Wiley v. RJR Nabisco Holding Corp., No. 18D01-9305-CT-06 (Ind.), March 3, 1998, 5503:6-25
276. 1000028264-8284 at 8274-8275
277. 109881322-1331 at 1323, 1327
278. 680050983-1001 at 0998
280. 1003171563-1567
282. 100432193-2203 at 2194
283. 109837925-7928; 512102918-2955
284. 507910855-0856 at 0855
285. Deposition of Alexander W. Spears III, State of Texas v. American Tobacco Co., No. 5:96CV91, July 24, 1997, 58:3, 60:12
287. TIMN0120638-0639 at 0638
288. 500320055-0055
289. 680086039-6044 at 6040
290. TI04482775-2827
291. CTR PUBLIC STMT 001437-1445 at 1445
292. 544001284-1297 at 1285, 1286

293. TIFL0522279-2280 at 2280
294. TIMN0055129-5135 at 5130
295. TIMN319568-9604 at 9578
296. Millhiser, In Defense of Smoking, New York Times, January 12, 1978
297. 03731785-1838; 04326897-6897; 04326898-6898; 04326900-6900; 04326901-6901
298. TIMN0074796-4800 at 4797
299. TIMN0129593-9628, TIKU000004159-4194
300. 690142176-2180
301. TIMN0055304-5469; TIMN0073990-3992; TIFL0403308-3312; TIMN0127049-7072; TIMN0084430-4594
303. 100214029-4047 at 4046
304. 2043819549-9607, 1005224256-4315
305. TIMN0122721-2721
306. TIMN0074006-4006, T0017294-7294
307. 500622750-2752 at 2752
308. 105589638-9949; 502458984-9004
309. 03531619-1620
310. TIEX0007587-8136, TI00002247-2274
311. 03028799-8809 at 8801
312. 2046754709-4710 at 4710
313. 670500617-0619 at 0618
314. 2025431644-1748; TIMN0245529-5529; 03762472-2472; TIMN0245530-5532; TIMN0245292-5292; 03762460-2461; TIMN0246497-6497

315. 502483421-3421
316. 93852922-2923; TIOK0002758-2802; 03028799-8880
317. 2501112047-2098; 2023274132-4133; 2501023645-3645
319. 504638051-8051
320. 100440293-0297 at 0297
321. 504100135-0136 at 0136
322. 670500617-0619 at 0618
323. State of Washington v. American Tobacco Co., 96-2-15056, Exhibit No. 2626 (New York Times, January 30, 1984); 505743421-3421, 513943434-3434
324. 504638054-8056 at 8056
325. 502371212-1223
327. TIEX0000964-1904
328. 505465919-5919
329. Deposition of Alexander W. Spears III, Cippolone v. Liggett, (D.N.J.), July 26, 1984, 200-202
330. TIMN0133708-3708; TIOK0035181-5184
331. 515792869-2869; 507703861-3862
332. 507605620-6239
333. TIMN389474-9479 at 9475
334. 508466199-6200 at 6199
335. Expert Report of Allan Brandt, Ph.D. in United States v. Philip Morris, Cimons, Marlene, Cigarette Chiefs Steadfastly Deny Smoking Kills, Los Angeles Times April 15, 1994 at A1; 502576586-6571
336. 450180143-0143

337. Deposition of Geoffrey Bible, State of Florida v. American Tobacco Co., August 21, 1997, 27
338. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris; Geoffrey Bible, State of Minnesota v. Philip Morris Inc., C1-94-8565, March 2, 1998, 5737-5738
339. Expert Report of Allan Brandt, Ph.D. in United States v. Philip Morris; Bill Dedham, Executive Says He's Uncertain about Tobacco's Harm, N.Y. Times, March 3, 1998, at A16
341. Deposition of Denise Keane, United States v. Philip Morris, October 1, 2002; 202674164-4190 at 4170
342. http://www.tobacco.neu.edu/Extra/hotdocs/simon_answer_ex.htm
343. Deposition of Denise Keane, United States v. Philip Morris, October 2, 2002, 297:16-17, 298:13-18, 299:9-13
344. Defendant R.J. Reynolds Tobacco Company to Plaintiff United States' First Set of Interrogatories, United States v. Philip Morris (February 6, 2001); Defendant R.J. Reynolds Tobacco Company's Responses to Plaintiff's First Set of Requests for Admission to All Defendants, United States v. Philip Morris (April 19, 2002); Defendant Lorillard Tobacco Company's Responses to United States' First Set of Interrogatories to Defendants, United States v. Philip Morris (February 6, 2001); Defendant Lorillard Tobacco Company's Responses to the United States' First Set of Requests for Admission to All Defendants, Amended Pursuant to Order #119, United States v. Philip Morris (April 19, 2002); Objections and Responses of Defendant British American Tobacco (Investments) Limited to Plaintiff United States' First Set of Interrogatories to Defendants, United States v. Philip Morris (February 6, 2001); Brown & Williamson Tobacco Corporation to United States' First Set of Interrogatories to Defendants, United States v. Philip Morris (February 6, 2001)
346. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
347. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
348. Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris
349. Expert Report of Paul A. Bunn, Jr., M.D. in United States v. Philip Morris; A.K. Hackshaw, M.R. Law, & N.J. Wald, The accumulated evidence on lung cancer and environmental tobacco smoke, Br Med J., 315: 980-988 (1997); R. Taylor, R. Cumming, A. Woodward, & M. Black, Passive smoking and lung cancer: a cumulative meta-analysis, Aust. N.Z.J. Public Health, 25: 203-211 (2001)

350. Surgeon General's Advisory Committee on Smoking and Health, *The Health Consequences of Involuntary Smoking*, Washington, DC: US Department of Health, Education, and Welfare, Public Health Service, 1986
353. Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002; 2015007199-7207 at 7206; 2023590167-0174
354. Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002; 1003293752-3753; 1000205071-5073
355. Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002; 1003294811-4811
356. Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002; 1000255997-6001
357. Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002; 03638976-8979
358. 401087370-7384; 505454031-4034; 2021019013-9013; 2021019014-9016; TIOK0023344-3355; 504921177-1179; Deposition of Sorell Schwartz, United States v. Philip Morris, May 28, 2002
359. Deposition of Sorell Schwartz, United States v. Philip Morris, May 28, 2002; TI10590506-0514
360. Deposition of Sorell Schwartz, United States v. Philip Morris, May 28, 2002
361. Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002; 2015029667-9667; Deposition of John Rupp, United States v. Philip Morris, June 28, 2002; 86024168-86024172
362. Deposition of John Rupp, United States v. Philip Morris, June 28, 2002; 2021004058-4064
363. Deposition of John Rupp, United States v. Philip Morris, June 28, 2002; Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002; 2021004916-4917; 2021004058-4064; 508230855-0855
364. Deposition of John Rupp, United States v. Philip Morris, June 28, 2002; Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002; 515740621-515740632; 86024168-86024172

365. 506300804-0815
366. TIMN0014391-4393
367. Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002; Deposition of John Rupp, United States v. Philip Morris, June 28, 2002; Deposition of Scott Appleton, United States v. Philip Morris, October 17, 2002; Deposition of Dennis Dietz, United States v. Philip Morris, July 1, 2002; 87803899-3916
368. TIBU30949-0698; Deposition of Max Eisenberg, United States v. Philip Morris, June 20, 2002
369. 506662315-2316; 2021012384-2388; 2023053717-3720 at 3719; Deposition of Robert Suber, United States v. Philip Morris, June 18, 2002, 77:4-5
370. Deposition of Scott Appleton, United States v. Philip Morris, October 17, 2002; Deposition of Steven Parrish, United States v. Philip Morris, June 25, 2002; 87697352-7354; 2023530027-0029; 2023054167-4167; 517577761-7761
371. Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002; 2501457517-7522; 89259467-9468; Deposition of Carr Joseph Smith, United States v. Philip Morris, April 26, 2002
372. 110069863-9866 at 9863-9864; 2025025481 at 5481
373. 2025025506-5507 at 5506
374. 2025025510-5512
375. 2025025286-5286
376. 2025025290-5291
377. 2025025288-5289; 2025025347-5348; 2025025341-5343; 1000219803-9803
378. 502948580-8591; 2501024103-4107
379. 2501018326-8327
380. 503055325-5326
381. 2025013308-3308

- 382. 86024167-4167; 86024168-4172
- 384. 2501155644-5648 at 5646
- 385. 2501155644-5648 at 5648
- 386. 2501155644-5648 at 5648
- 388. TIMN0000254538-4538
- 389. TIMN0122133-2136 at 2135
- 390. TI06430696-0696
- 391. TI06430696-0696
- 392. 500008899-8964A
- 393. 2024299572-9575
- 394. 2024299572-9575; 1002641904-1907
- 396. 2029269056-9126
- 397. 680546750-6752
- 398. TIMN0019293-9293
- 399. 2025417473-7489
- 400. 2025365133-5133; 2025851895-1895
- 401. TIMN0284404-4413
- 402. TI05540699-0705
- 403. 2050864094-4097
- 404. 2046754737-4740
- 405. 2021502102-2134
- 406. 2500146093-6096

407. 506617591-7594; 506617595-7596
408. 2021548222-8235
409. Deposition of John Rupp, United States v. Philip Morris, June 28, 2002; Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002; Deposition of Steven Parrish, United States v. Philip Morris, June 25, 2002; 2021001643-1645; 2500017054-7063; 321140944-0949 at 0944; 2501152342-2344; 2501254705-4708 at 4705
410. BWBU242342-2343
411. Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002
412. 2500101311-1323; Deposition of John Rupp, United States v. Philip Morris, June 28, 2002, Exhibit No. 8
413. 507605620-6239
414. 2023034633-4637; TIDN0021302-1305; Deposition of John Rupp, United States v. Philip Morris, June 28, 2002, Exhibit No. 6
415. 2500048976-8998; Deposition of John Rupp, United States v. Philip Morris, June 28, 2002; Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002; TI10161302-1305
416. Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002
417. Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002; TI09911997-2033
418. TIMN 0194781-4787 at 4784
419. 2021181919-1920 at 1919
420. Deposition of Max Eisenberg, United States v. Philip Morris, June 20, 2002; Eisneberg Exhibit Nos. 15, 16; 2505528777-8786; 2047330959-0981
421. 2023581801-1801
422. 2023592793-2797; 400974548-4550
423. 2504088209-8210

424. 2501341817-1823 at 1818
425. Deposition of Denise Keane, United States v. Philip Morris, October 1, 2002; 2073778581-8596
426. 2024186165-6165
427. Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002
428. TIMN0435220-5272; 2046591055-1056; 2046342683-2686
429. TIMN0435220-5272; 2028446361-6371
430. 2044436543-6549
431. Deposition of Scott Appleton, United States v. Philip Morris, October 17, 2002
432. 2060566164-6165
433. 2502140306-0316; 2502159515-9516
434. 2063594510-4526
435. 86205377-5377; 86205378-5378; 86205422-5422
436. Deposition of Robert Bereman, United States v. Philip Morris, April 23, 2002; Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002
437. Defendant Philip Morris Incorporated's Responses to Plaintiff's Specific Interrogatories to Defendants Philip Morris, Inc. and Philip Morris Companies, Inc., United States v. Philip Morris (March 15, 2002); Defendant Philip Morris Incorporated's Responses to Plaintiff's First Requests for Admission to All Defendants, United States v. Philip Morris (April 19, 2002); Response of Brown & Williamson Tobacco Corporation to the United States' First Set of Requests for Admission to All Defendants, United States v. Philip Morris (April 19, 2002); Response of Brown & Williamson to Plaintiff's Specific Interrogatories to Defendants Brown & Williamson Tobacco Corporation, The American Tobacco Company, and British American Tobacco (Investments) Limited, United States v. Philip Morris (March 15, 2002); Responses and Objections of British American Tobacco (Investments) Limited to Plaintiff's First Requests for Admission to All Defendants, Amended Pursuant to Order #119, United States v. Philip Morris (April 19, 2002); Defendant Lorillard Tobacco Company's Responses to the United States' First Set of Requests for Admission to All Defendants, Amended Pursuant to Order #119, United States v. Philip Morris (April 19, 2002); Defendant R.J. Reynolds Tobacco Company's

Responses to Plaintiff's First Set of Requests for Admission to All Defendants, United States v. Philip Morris (April 19, 2002)

- 438. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
- 439. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
- 440. Deposition of Hector Alsonso, United States v. Philip Morris, June 21, 2002, 124-127; 2083131281-1288; Deposition of Tyrone Murray, United States v. Philip Morris, May 1, 2002
- 441. Deposition of Tyrone Murray, United States v. Philip Morris, May 1, 2002; Deposition of Hector Alsonso, United States v. Philip Morris, June 21, 2002; 2083131325-1325; 2079050806-0810; 2083131325-1325; 2083131345-1352
- 442. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
- 443. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002; Deposition of Tyrone Murray, United States v. Philip Morris, May 1, 2002, 154-55
- 444. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
- 445. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
- 446. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
- 447. Deposition of Michael Watkins, United States v. Philip Morris, May 9, 2002; Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
- 448. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002, 124; Deposition of Michael Watkins, United States v. Philip Morris, May 9, 2002
- 449. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
- 450. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
- 451. Deposition of Michael Watkins, United States v. Philip Morris, May 9, 2002; Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
- 452. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
- 454. Deposition of Hector Alsonso, United States v. Philip Morris, June 21, 2002; Deposition of Tyrone Murray, United States v. Philip Morris, May 1, 2002

B. Cigarette Smoking is an Addictive Behavior

458. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris; Expert Report of David Burns, M.D. in United States v. Philip Morris
465. American Psychiatric Association. Diagnostic and Statistical Manual of Mental Disorders III-R (1987) at 167-168
466. American Psychiatric Association. Diagnostic and Statistical Manual of Mental Disorders III-R (1987) at 168
467. The Health Consequences of Smoking: Nicotine Addiction: A Report of the Surgeon General (1988) at 7
468. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris
469. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris
470. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris
472. American Psychiatric Association. Diagnostic and Statistical Manual of Mental Disorders IV (1994) at 181, 243
473. American Psychiatric Association. Diagnostic and Statistical Manual of Mental Disorders III-R (1987) at 181, 243
474. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
477. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
478. The FDA proposed rule and jurisdiction determination annex, *i.e.*, "Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents," 61 Fed. Reg. 44396 (August 1996) (final rule); "Nicotine in Cigarettes and Smokeless Tobacco Products Is a Drug and These Products Are Nicotine Delivery Devices Under the Federal Food, Drug, and Cosmetic Act: Jurisdictional Determination," 61 Fed. Reg. 44619 (August 1996) (jurisdictional determination annex) at 44635
479. The FDA proposed rule and jurisdiction determination annex, *i.e.*, "Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents," 61 Fed. Reg. 44396 (August 1996) (final rule); "Nicotine in Cigarettes and Smokeless Tobacco Products Is a Drug and These Products Are Nicotine Delivery Devices Under the Federal Food, Drug, and Cosmetic Act: Jurisdictional

Determination," 61 Fed. Reg. 44619 (August 1996) (jurisdictional determination annex) at 44703

480. Expert Report of Neil Weinstein, M.D. in United States v. Philip Morris
481. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris
482. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris
483. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris
484. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris
485. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris
486. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris
487. The Health Consequences of Smoking: Nicotine Addiction: A Report of the Surgeon General (1988); Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris; Expert Report of Neil Weinstein, M.D. in United States v. Philip Morris; SGR 4 Kids: The Surgeon General's Report for Kids About Smoking (1994)
489. 2023916742-6776 at 6745
490. 68263925-3981 at 3977
491. 2023011263-1263
492. Regulation of Tobacco Products (Part I) Hearings before the Subcommittee on Health and the Environment of the Committee on Energy and Commerce, House of Representatives, 103rd Congress April 14, 1994, at 2023195780-5781
493. 2029200293-0294 at 0294
494. Myron Levin, Jury Views CEO's 'Gummy Bear' Tobacco Deposition: Philip Morris Executive Testifies Cigarettes Aren't Any More Addictive Than Coffee or the Candy, Los Angeles Times, July 18, 1997, at D3
495. 83623323-3347 at 3343-3344
496. 507707454-7455 at 7455
497. 400729374-9380 at 9376

498. 512688562-8571 at 8564
499. Regulation of Tobacco Products (Part I) Hearings before the Subcommittee on Health and the Environment of the Committee on Energy and Commerce, House of Representatives, 103rd Congress April 14, 1994, at 2023195780-5781
500. Deposition of Joseph DeBethizy, United States v. Philip Morris, April 17, 2002, 199:15-25; 200: 1-25; 201:1-25
501. State of Minnesota v. Philip Morris, Inc., C1-94-8565, Exhibit No. 2909
502. 5365002262-2266 at 2262
503. Regulation of Tobacco Products (Part I) Hearings before the Subcommittee on Health and the Environment of the Committee on Energy and Commerce, House of Representatives, 103rd Congress April 14, 1994, at 2023195780-5781
504. Regulation of Tobacco Products (Part I) Hearings before the Subcommittee on Health and the Environment of the Committee on Energy and Commerce, House of Representatives, 103rd Congress April 14, 1994, at 2023195780-5781
505. 431643-1644 at 1644
506. Response of Brown & Williamson Tobacco Corporation to the United States' First Set of Requests for Admission to All Defendants, RFA# 390, April 19, 2002
507. Regulation of Tobacco Products (Part I) Hearings before the Subcommittee on Health and the Environment of the Committee on Energy and Commerce, House of Representatives, 103rd Congress April 14, 1994, at 2023195780-5781
508. Regulation of Tobacco Products (Part I) Hearings before the Subcommittee on Health and the Environment of the Committee on Energy and Commerce, House of Representatives, 103rd Congress April 14, 1994, at 2023195780-5781
510. TIMN 0131860-1861
511. TIMN 0019963-9963
512. TIMN 00125189-5189
513. TIMN 339671-9676 at 9673
514. TIMN 00341405-1422 at 1420

517. <http://www.philipmorrisusa.com/healthissues/addiction:asp>
518. <http://www.bat.com/oneweb/sites/uk3mnfen.nsf/wwPageswebLive/BEDB4BB/FDD4F7CE80256BF4000ee157?open document>
519. <http://www.rjrt.com/TI/TIquitting.asp>
520. <http://brown-and-williamson.com/SHC/Index.cfm?ID=8&Sect=3>
530. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
531. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
534. 1003700128-0133 at 0129, 0132
535. 1001913853-3878 at 3860
537. 1000350158-0188
538. 1000348671-8751 at 8676, 8708
539. 1003285403-5416 at 5403
540. 1001804656-4659 at 4656
541. 2023193286-3304 at 3289
542. 2023193286-3304 at 3290
543. 2024273959-3975 at 3961
544. 1003294245-4261 at 4246
545. 1003724353-4387 at 4353
546. 1003033413-3417 at 3413
547. 1000368057-8080 at 8060
548. 2010064696-4699 at 4697
549. 2058335137-5176 at 5147

- 550. 0000127789-7790 at 7789
- 551. 100328974-8975 at 8974
- 552. 1003030124-0125 at 0124
- 553. 2028813366-3368 at 3366
- 554. 1000403178-3604 at 3237-3238
- 555. 2026403670-3673
- 556. 2060489246-9255
- 558. 0000127789-7790
- 559. Expert Report of Jeffrey E. Harris, M.D., Ph.D. in United States v. Philip Morris
- 560. 502001177-1177
- 561. 504210018-0018
- 562. 5002504536-4544 at 4538
- 563. 500915683-5691 at 5684-5685
- 564. 1122 3463-3470 at 3466
- 565. 50152 5355-5356 at 5358
- 566. 50067 2011-2172 at 2078-2105, 2107
- 567. 500380562-0564 at 0563
- 568. 50447 9948-9954 at 9549
- 569. 504675307-5307
- 570. 509479574-9587 at 9584
- 571. 100099115-9117 at 9117
- 572. 301083862-3865 at 3863

- 573. 301083862-3865 at 3863
- 574. 100427861-7883 at 7862; 536480912-0914
- 575. 105620620-0683 at 0622-0625
- 576. 100335808-5816 at 5811, 5814
- 577. 10335894-5918 at 5897
- 578. 10175613-5617 at 5616
- 579. 536480912-0914 at 0912
- 580. 501012199-2255 at 2202
- 581. 00039304-9490 at 9306, 9310
- 582. 322043204-3207 at 3207
- 583. 105392361-2368 at 2366
- 584. 10553905-3915 at 3906, 3913
- 585. 109872505-2508 at 2508
- 586. 109884190-4191 at 4190
- 587. 514110006-0009 at 0007
- 588. 650547777-7787 at 7786
- 589. 110069983-9987 at 9985
- 590. 110069974-9982 at 9977
- 591. 100501696-1710 at 1702
- 592. 100503495-3506 at 3496-3497, 3505
- 593. 100503495-3506 at 3496
- 594. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris

596. 689033412-3416 at 3415
597. <http://tobaccodocuments.org/atc/60252077.pdf>
598. State of Minnesota v. Philip Morris, Inc., C1-94-8565, Exhibit No. 3962
599. 680248768-8769 at 8769
600. 2502272091-2096 at 2092
601. 665043966-3966
602. 03492841-3067 at 2884
603. 100059066-9067 at 9067
604. 01771073-1206 at 1079
605. 00044522-4523 at 4522
606. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
607. 526321269-1270 at 1269
608. 81187531-7552 at 7541
609. The FDA proposed rule and jurisdiction determination annex, i.e., "Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents," 61 Fed. Reg. 44396 (August 1996) (final rule); "Nicotine in Cigarettes and Smokeless Tobacco Products Is a Drug and These Products Are Nicotine Delivery Devices Under the Federal Food, Drug, and Cosmetic Act: Jurisdictional Determination," 61 Fed. Reg. 44619 (August 1996) (jurisdictional determination annex) at 44895
610. The FDA proposed rule and jurisdiction determination annex, i.e., "Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents," 61 Fed. Reg. 44396 (August 1996) (final rule); "Nicotine in Cigarettes and Smokeless Tobacco Products Is a Drug and These Products Are Nicotine Delivery Devices Under the Federal Food, Drug, and Cosmetic Act: Jurisdictional Determination," 61 Fed. Reg. 44619 (August 1996) (jurisdictional determination annex) at 44895
612. MNAT 00316688-6693

613. MNAT 00881318-1323
614. MNAT 00533294-3295; Staff Report prepared by the Majority Staff Subcommittee on Health and the Environment of the Committee on Energy and Commerce House of Representatives titled "Evidence of Nicotine Manipulation by the American Tobacco Company" (December 20, 1994) at 2
615. 1000041912-1918 at 1912
616. 1000038108-8117 at 8111
617. Trial Testimony of Gary Huber (via deposition), Dunn & Wiley v. RJR Nabisco Holding Corp., No. 18D01-9305-CT-06 (Ind.) March 3, 1998, 5472: 24-25, 5473: 1-12, 5476: 4-25, 5477: 1-25, 5513: 11-24
618. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
619. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
620. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
621. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
623. TIMN 0107822-7823 at 7823
625. 1003289921-9922 at 9921
626. 0000128680-8680
627. 1005045000-5000
628. 0000127789-7790
629. 2501013568-3568; 2024950721-0721; 2024950723-0723
630. 1005061346-1346
631. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
632. 2023963269-3341 at 3312-2213
633. 2023963269-3341 at 3285

- 634. 2023963269-3341 at 3286
- 635. 2023963269-3341 at 3303
- 637. 2023963269-3341 at 3304
- 638. 2046754720-4731
- 639. 2023963269-3341 at 3314-3315
- 640. 2023963269-3341 at 3305-3306
- 641. 2023192361-2362
- 642. 502314530-4547 at 4531, 4533
- 643. 514894567-4676
- 644. 514829670-9670; Deposition of Joseph DeBethizy, United States v. Philip Morris, April 17, 2002, 164:7-21, 170:14-25, 171-189
- 645. 514829670-9670; Deposition of Joseph DeBethizy, United States v. Philip Morris, April 17, 2002, 185-189
- 646. MNAT 00115492-5492
- 647. MNAT 00533224-3224
- 648. 110083647-3650 at 3649-3650
- 649. 109840698-0702 at 0699-0700
- 650. State of Minnesota v. Philip Morris, Inc., C1-94-8565, Exhibit No. 3962
- 651. 682015254-5255 at 5254
- 652. 680583069-3070
- 653. 01244504-4504
- 654. 2002520-2524 at 2521
- 655. Deposition of Denise Keane, United States v. Philip Morris, October 1, 2002 at 41:22-25,

42: 1-25, 43: 1-25, 44:1-15

656. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris

657. 511068152-8176

658. 511068231-8240

C. Nicotine Manipulation

- 668. 1000277423-7447 at 7441
- 669. 20473448245-8252
- 670. 1001896774-6776 at 6774; 1003294245-4261 at 4246; 2023186690-6690A at 6690A
- 671. 2028813366-3368 at 3366
- 672. 504210018-0018
- 673. 500915683-5691 at 5688
- 674. 500915683-5691 at 5684; 502987357-7368 at 7361
- 675. 502967936-7944 at 7944
- 676. 507028876-8876; 504462513-2513; 503851759-1759; 500250599-0599
- 677. 504675253-5282 at 5257
- 678. 501754849-4866
- 679. 100099115-9117 at 9117
- 680. 102630333-0336 at 0334, 0335, 0336
- 681. 1100699974-9982 at 9975, 9978
- 682. 102440178-0179 at 0178
- 683. 109880411-0424 at 0411; 660913609-3633 at 3620; 110069974-9982 at 9975; 400993160-3215 at 3196
- 684. 101234971-5018; 512106427-6437 at 6428-9; 101234971-5018 at 4974-5; 101234971-5018 at 4978; 101234971-5018 at 4985; 101234971-5018 at 5011
- 685. 00045061-5071 at 5061, 5063
- 686. 01244504-4504
- 687. 01394380-4381 at 4380; 526321269-1270 at 1269

- 690. 501011401-1401; 501011403-1403
- 691. 500540827-0832
- 692. 507555896-5909; 507555896-5909 at 5898-5899
- 693. 102630333-0336 at 0333, 0334, 0335, 0336
- 694. 510004186-4190
- 695. 00776195-6201; 526321304-1310; Deposition of Alexander W. Spears III, State of Minnesota v. Philip Morris Inc., C1-94-8565, September 23, 1997
- 696. Deposition of Alexander W. Spears III, State of Texas v. American Tobacco Co., July 24, 1997
- 697. 00361822-1823 at 1823
- 699. 2024273959-3975 at 3962-3963
- 700. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
- 701. 2031436002-6002
- 702. 102630333-0336 at 0335-0336
- 704. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
- 705. 1000235191-5193 at 5191
- 706. 2062951842-1864; 1003288950-8967; 1003288934-8949; 2024545758-5773; 1000048633-8654; 1000350159-0186
- 707. 1003285586-5586
- 708. 500790798-0798
- 709. 506686631-6634
- 710. 509308455-8459
- 711. 105620620-0683; 301083862-3865; 105620569-0605; 2046754905-4909 at 4908-4909

712. 100431408-1412
713. 401090280-0294
715. 661071395A-1396; 510003880-3882
716. 682637648-7650; 500004560-4580
717. MNAT00533294-3295 at 3295
718. MNAT00533268-3286 at 3270-3272
719. MNAT00316810-6811 at 6810
720. 526321374-1376; 526321377-1388; Deposition of Alexander W. Spears III, State of Minnesota v. Philip Morris Inc., C1-94-8565, September 23, 1997
721. 00781406-1417
722. 01417830-7840
723. 00053989-4018
724. LG 2013892-3893
725. LWDOJ 9165472-5472
726. LG 234157-4157
729. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
731. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
732. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
733. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
734. Risks Associated with Smoking Cigarettes with Low Machine-Measured Yields of Tar and Nicotine. Smoking and Tobacco Control Monograph No. 13, 3. Bethesda, MD: U.S. Department of Health and Human Services, Public Health Service, National Institutes of Health
736. 1003287880-7890; Risks Associated with Smoking Cigarettes with Low Machine-

Measured Yields of Tar and Nicotine. Smoking and Tobacco Control Monograph No. 13, 3. Bethesda, MD: U.S. Department of Health and Human Services, Public Health Service, National Institutes of Health

- 737. 511242032-2045 at 2040; 5002454536-4544 at 4542
- 738. 650008449-8480 at 8451, 8462
- 739. 101234971-5018
- 740. 775036039-6067 at 6050
- 741. 80192103-2112
- 742. Deposition of Robert D. Bereman, United States v. Philip Morris, April 23, 2002; Deposition of Anthony Albino, United States v. Philip Morris, April 26, 2002; Deposition of Bennett S. LeBow, United States v. Philip Morris, June 21, 2002
- 744. 1003287730-7731 at 7730
- 745. 109882674-2679
- 746. 660913609-3633 at 3620
- 748. 2058335137-5176; Deposition of Jeffrey S. Wigand, Butler v. Philip Morris, November 29, 1995
- 749. MNAT00316738-6748 at 6738; MNAT00316699-6700 at 6699; MNAT00316695-6698 at 6695, 6696, 6697
- 751. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
- 752. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
- 756. Risks Associated with Smoking Cigarettes with Low Machine-Measured Yields of Tar and Nicotine. Smoking and Tobacco Control Monograph No. 13 at 17. Bethesda, MD: U.S. Department of Health and Human Services, Public Health Service, National Institutes of Health; Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
- 758. "Nicotine in Cigarettes and Smokeless Tobacco Products Is a Drug and These Products Are Nicotine Delivery Devices Under the Federal Food, Drug, and Cosmetic Act: Jurisdictional Determination," 61 Fed. Reg. 44619 (August 1996) (jurisdictional

- determination annex) at 44915-44986
759. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
760. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
761. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
762. 00776238-6250
763. 511223463-3484 at 3466
764. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
765. Expert Report of William A. Farone, Ph.D. in United States v. Philip Morris
766. Expert Report of William A. Farone, Ph.D. in United States v. Philip Morris
767. 511223463-3484 at 3468
768. 511223463-3484; Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris; "Nicotine in Cigarettes and Smokeless Tobacco Products Is a Drug and These Products Are Nicotine Delivery Devices Under the Federal Food, Drug, and Cosmetic Act: Jurisdictional Determination," 61 Fed. Reg. 44619 (August 1996) (jurisdictional determination annex) at 44974-44975
769. Expert Report of William A. Farone, Ph.D. in United States v. Philip Morris
770. Expert Report of William A. Farone, Ph.D. in United States v. Philip Morris
771. 504438506-8512 at 8507, 8509-8510; Expert Report of William A. Farone, Ph.D. in United States v. Philip Morris
772. Expert Report of William A. Farone, Ph.D. in United States v. Philip Morris
773. 566408585-8587; 508104011-4164 at 4017
774. 508104011-4164; 681001134-1139; LG 2018563-8563
775. 500990999-1004; 500540827-0832
776. 2028812066-2067; 2022262774-2775 at 2774

- 777. 2056128345-8379
- 779. 511223463-3484 at 3465-3466; 509314122-4148 at 4124-4125
- 780. 500606138-6153
- 781. 501166152-6153 at 6152; 509018864-8865A at 8864
- 782. 510983376-3380
- 783. 500104402-4424
- 784. 500104402-4424 at 4408
- 785. 105521746-1748 at 1746-1747
- 786. 100059066-9067 at 9067
- 787. 100175681-5687 at 5682-5683
- 788. 570538281-8295 at 8283
- 789. 650360443-0458
- 790. 599003691-3695 at 3692
- 791. 103281081-1112 at 1082, 1112
- 792. 510004186-4190
- 793. Deposition of Jeffrey S. Wigand, Butler v. Philip Morris, November 29, 1995, 116:1-116:4
- 794. 00044833-4841
- 795. 00121909-1926 at 1921-1922; 526321367-1373
- 796. 00778476-8490; 00778109-8121
- 797. 01254872-4876
- 798. 00398474-8484 at 8474

- 799. 526321428-1440 at 1428
- 800. 526321761-1763 at 1761
- 801. 96522458-2467 at 2461; 96522506-2542 at 2513
- 802. 97014099-4099
- 803. LG 0262125-2126 at 2126
- 804. LG 0262506-2508 at 2506-2507
- 805. LG 0262127-2129 at 2127, 2128, 2129
- 806. 0262130-2131 at 2130
- 807. LG 0262155-2155; LG 0262149-2151; LG 0262152-2153; LDOJ 2164744-4746
- 808. LG 2018563-8563
- 809. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
- 810. 1003198459-8461; 1000413881-3964; 2022261214-1225
- 811. Deposition of Jeffrey S. Wigand, Butler v. Philip Morris, November 29, 1995
- 812. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
- 813. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
- 814. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
- 815. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
- 817. Expert Report of William A. Farone, Ph.D. in United States v. Philip Morris
- 818. 661071395A-1396
- 819. 514894567-4676 at 4579
- 822. 1001919941-9941
- 823. 2026378749-8750 at 8749

- 824. 2050742052-2053; 2061945926-5928 at 5926; 2023119230-9231 at 9231
- 825. 501052852-2856
- 826. 400260652-0674
- 827. MNAT00881318-1323; MNAT00316688-6693; MNAT00316683-6684;
MNAT00533224-3224; MNAT0533253-3253; MNAT00740105-0105; ATX140008085-
8087
- 828. 81082148-2154
- 829. 00778322-8334
- 830. 80642659-2661
- 831. 107467542-7542
- 833. 01754849-4866
- 834. 2000515580-5580
- 835. 105494689-4704; 00110371-0371; 514894567-4676
- 836. 101117452-7459; 508880478-0478; 2025986606-6612
- 838. 511872061-2087 at 2061
- 839. 88029439-9460
- 843. 2504079560-9562
- 844. Regulation of Tobacco Products (Part I) Hearings before the Subcommittee on Health and
the Environment of the Committee on Energy and Commerce House of Representatives,
103 Cong. March 25 and April 14, 1994
- 845. Regulation of Tobacco Products (Part I) Hearings before the Subcommittee on Health and
the Environment of the Committee on Energy and Commerce House of Representatives,
103 Cong. March 25 and April 14, 1994
- 848. 2023011263-1263
- 849. 202337394-7394

851. Regulation of Tobacco Products (Part I) Hearings before the Subcommittee on Health and the Environment of the Committee on Energy and Commerce House of Representatives, 103 Cong. March 25 and April 14, 1994
852. Regulation of Tobacco Products (Part I) Hearings before the Subcommittee on Health and the Environment of the Committee on Energy and Commerce House of Representatives, 103 Cong. March 25, 1994; 82495618-5628
853. TIMN 328214-8215
854. 513193867-3867
855. National Tobacco Settlement, Hearing before the House Commerce Committee, Afternoon Session, Federal News Service (January 29, 1998)
856. Deposition of Robert Suber, United States v. Philip Morris, June 18, 2002
858. 506448793-8794 at 8793
859. 2059723723-3724
861. www.rjrt.com
862. www.bw.com
863. Deposition of Hector Alonso, United States v. Philip Morris, June 21, 2002, 51:6- 51:9
864. Deposition of Lonnie Joe Inman, United States v. Philip Morris, May 23, 2002, 39:17-39:22
865. Deposition of Lonnie Joe Inman, United States v. Philip Morris, May 23, 2002, 55:10-55:24

D. Deceptive Marketing of Low Tar and Filtered Cigarettes

870. Expert Report of William A. Farone, Ph.D. in United States v. Philip Morris; "Report to Congress for 1997 Pursuant to the Federal Cigarette Labeling and Advertising Act," FTC (1999)
871. Expert Report of William A. Farone, Ph.D. in United States v. Philip Morris; 680114503-4819 at 4605
873. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report # 1; "Report to Congress for 1998 Pursuant to the Federal Cigarette Labeling and Advertising Act," FTC 22-26 (2000)
874. "Report to Congress for 1997 Pursuant to the Federal Cigarette Labeling and Advertising Act," FTC at 3 (1999); Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002 at 39:4-39:8
875. Expert Report of David Burns, M.D. in United States v. Philip Morris; Risks Associated with Smoking Cigarettes with Low Machine-Measured Yields of Tar and Nicotine. Smoking and Tobacco Control Monograph No. 13. Bethesda, MD: U.S. Department of Health and Human Services, Public Health Service, National Institutes of Health; Institute of Medicine, Clearing the Smoke: The Science Base for Tobacco Harm Reduction, National Academy of Sciences (K. Stratton et al. eds., National Academy Press 2001); Changes in Cigarette Related Disease Risks and Their Implication for Prevention and Control. Smoking and Tobacco Control Monograph No. 8. Bethesda, MD: U.S. Department of Health and Human Services, Public Health Service, National Institutes of Health. NIH Publication No. 97-4213, February 1997; Expert Report of Jonathan M. Samet, M.D., M.S. in United States v. Philip Morris; The Health Consequences of Smoking: Chronic Obstructive Lung Disease: A Report of the Surgeon General (1984); Samet JM, Lange P., Longitudinal Studies of Active and Passive Smoking, 154 Am. J. Resp. Crit. Care Med. S257-S265 (1996); USDHHS. Out of the Ashes; Choosing a Method to Quit Smoking. DHHS publication No. (CDC) 90-8418 (1990); Centers for Disease Control and Prevention, Filter Ventilation Levels in Selected U.S. Cigarettes, Morbidity and Mortality Weekly Report, Vol.46, No. 44 (Nov. 7, 1997), State of Minnesota v. Philip Morris, Inc., Trial Exhibit Nos. 26,132
877. 1003287730-7731 at 7730
878. 2001243600-3673 at 3610-3611; 2022180219-0219; 1000135419-5439; 514903578-3610 at 3579, 3585-3587; Deposition of Cliff Lilly, United States v. Philip Morris, May 14, 2002, 228:7-231:21
879. 1000307159-7164 at 7159

880. 1000335612-5625 at 5622-5623
881. 1001913853-3878 at 3857, 3862, 3870, 1000338644-8671 at 8649, 8654, 8662
882. 2015041685-1739 at 1721
883. 1000046626-6661 at 6655, 6660
884. 2001243600-3673 at 3610-3611; 2022180219-0219
885. 1003121638-1643 at 1638
886. 2024005509-5512 at 5509-5510
887. 2001243600-3673 at 3610-3611; 2022180219-0219; 1000135419-5439; Deposition of Cliff Lilly, United States v. Philip Morris, May 14, 2002, 228:7-231:21
888. MNAT00825318-5323 at 5322
889. 109880405-0410 at 0406
890. 514903578-3610 at 3579
891. 509643825-3832 at 3825
892. 1003287730-7731 at 7730; Deposition of David E. Townsend, United States v. Philip Morris, July 24, 2002, 286:21- 287:11
893. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
894. 170042567-2574 at 2568, 2574
895. 680050983-1001 at 0990
896. 680584928-4934 at 4929-4930, 4933
897. 680701034-1038 at 1035
898. 110069974-9979 at 9974, 9979
899. 2501022952-2969 at 2954

900. 620000021-0032 at 0027, 0030
901. 109883189-3192 at 3191
903. 00045061-5071
904. LWDOJ00068944-8949 at 8944-8945
905. Expert Report of David Burns, M.D. in United States v. Philip Morris; 2021544486-4496
906. Expert Report of Neil Benowitz, M.D. in United States v. Philip Morris
907. Expert Report of William Farone, Ph.D. in United States v. Philip Morris; 500011111-1116 at 1112; 500380562-0564; 100515899-5910; 1003285403-5416; 500917468-7476 at 7474-7476; 1003287880-7890 at 7884; 105553905-3915
908. Centers for Disease Control and Prevention, Filter Ventilation Levels in Selected U.S. Cigarettes, Morbidity and Mortality Weekly Report, Vol.46, No. 44 (Nov. 7, 1997), State of Minnesota v. Philip Morris, Inc., Trial Exhibit Nos. 26,132
909. Centers for Disease Control and Prevention, Filter Ventilation Levels in Selected U.S. Cigarettes, Morbidity and Mortality Weekly Report, Vol.46, No. 44 (Nov. 7, 1997), State of Minnesota v. Philip Morris, Inc., Trial Exhibit Nos. 26,132
910. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
911. 1003287880-7890 at 7884
912. 2015041685-1739 at 1721
913. 2021544486-4496 at 4486-4488
914. 2024921314-1612 at 1349
915. 1000046626-6661 at 6654-6655
916. 1003728025-8039
917. 2040066740-6766 at 6750-6751, 6754-6755
918. 104576617-6624; 201080394-0395 at 0394
919. 301030943-0944

920. 506811986-2001 at 1988, 1990, 1992
921. 2500046198-6199
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928. 508978013-8025 at 8014
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931. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris
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936. Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002, 56:3-56:25
937. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
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946. 103020940-0942 at 0941
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950. 01105000-5021 at 5010; Deposition of Alexander Spears, State of Minnesota v. Philip Morris Inc., September 23, 1997, 62:29-65:55
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952. Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 55:21-61:21
953. Deposition of Ron Bernstein, United States v. Philip Morris, June 25, 2002, 32:19-33:21
954. Deposition of Alexander Spears, State of Minnesota v. Philip Morris Inc., September 23, 1997
955. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
956. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
957. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris

958. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
959. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
960. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
961. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
962. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
963. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
964. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
965. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
966. 1003884298-4302 at 4298-4299
967. 1001913853-3878 at 3858
968. 1003287490-7557 at 7494
969. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
970. Deposition of Denise F. Keane, United States v. Philip Morris, October 2, 2002, 397:8-397:24; 2074759497-9499 at 9497
971. 2074759155-9155; Deposition of Denise F. Keane, United States v. Philip Morris, October 2, 2002, 419:17 -420:9; 2074759155-9155
972. Deposition of Denise F. Keane, United States v. Philip Morris, October 2, 2002, 406:12-408:6
973. Deposition of Denise F. Keane, United States v. Philip Morris, October 2, 2002, 382:18 -384:1
974. Deposition of Denise F. Keane, United States v. Philip Morris, October 2, 2002, 403:24-405:25
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977. Deposition of Stephen Parrish, United States v. Philip Morris, June 26, 2002, 268:13-

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978. Deposition of Denise F. Keane, United States v. Philip Morris, October 2, 2002, 409:15-411:17
979. Deposition of Denise F. Keane, United States v. Philip Morris, October 2, 2002, 440:20-441:13, 405:16-405:25
980. Deposition of Denise F. Keane, United States v. Philip Morris, October 2, 2002, 380:4-382:3
981. Deposition of Denise F. Keane, United States v. Philip Morris, October 2, 2002, 357:14-358:5
982. Expert Report of Jack E. Henningfield, Ph.D in United States v. Philip Morris
983. 690025487-5491 at 5488- 5491
984. 521060910-0912 at 0912, 0910
985. 00265808-5810 at 5809
986. Expert Report of David Burns, M.D. in United States v. Philip Morris; IOM, "Clearing the Smoke: The Science Base for Tobacco Harm Reduction," NAS, Nat'l Academy Press 3-13 -3-16 (2001); 99053060-3558 at 3124-3127
987. Expert Report of David Burns, M.D. in United States v. Philip Morris
988. Expert Report of David Burns, M.D. in United States v. Philip Morris
989. 107472304-2464
990. 670917650-7741 at 7664-7665
991. 503670658-0659 at 0658
992. 324534461-4470 at 4463
993. 109869437-9440 at 9437
994. 107469128-9128
995. 100427792-7800 at 7794

996. 100236543-6543
997. 109883262-3265 at 3263
998. Expert Report of Neil Benowitz, M.D. in United States v. Philip Morris
999. ATX05 0142123-2128 at 2123-2124
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1001. 99053048-3558 at 3112
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1014. 2048216131-6135 at 6134; Deposition of Denise F. Keane, United States v. Philip Morris, October 2, 2002, 380:4-380:20

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1016. Deposition of Stephen Parrish, United States v. Philip Morris, June 26, 2002, 264:7-264:17, 266:13-266:19; Deposition of Geoffrey Bible, United States v. Philip Morris, August 22 2002, 165:3-166:7
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1018. 500251567-1570 at 1567-1569
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1035. 528010755-0759 at 0755
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1047. 84053709-3744 at 3712, 3718
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1054. 1002325022-5022

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1056. 2040066740-6766 at 6755
1057. 2041771505-1505
1058. 2041446117-6123 at 6122; Deposition of Geoffrey Bible, United States v. Philip Morris, August 22, 2002, 154:8-155:9
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1063. 775036039-6067 at 6052
1064. ATX040070514-0514
1065. MNAT00029170-9201 at 9176
1066. MNAT00742048-2048
1067. 03496228-6630 at 6346-6348
1068. LWDOJ6135692-5692
1070. 1005038656-8658
1071. 1001913853-3878 at 3858-3859
1072. 2028817401-7576 at 7506
1073. 2500002189-2207 at 2199
1074. Deposition of Bible Geoffrey, United States v. Philip Morris, August 22, 2002, 163:8-165:2; 2071032180-2206 at 2188
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1079. 660041050-1051 at 1050
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1086. 670001750-1766 at 1754-1755
1087. 680559100-9124 at 9100, 9101, 9110, 9120
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1090. 103020940-0942 at 0940-0941
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1092. 01124257-4265 at 4259, 4257-4258
1093. 80634635-4642 at 4639
1094. LATH00312742-2784 at 2746-2747; LWDOJ6135692-5692
1095. LG2013588-3594 at 3592
1096. "Report to Congress for 1997 Pursuant to the Federal Cigarette Labeling and Advertising Act," FTC (1999)

1097. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris; Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
1100. 501565967-6019 at 6008
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1106. 465638538-8668; Deposition of Mark Kovatch, United States v. Philip Morris, June 5, 2002, 59:20-60:3, 50:24-51:6, 56:22-25
1107. 100501581-1708 at 1593
1108. 109883112-3117 at 3115, 3117; 105657908-7909
1109. 109883101-3103 at 3101
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1111. 566627751-7824 at 7817-7818
1112. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
1114. 81563629-3629; 680114503-4819 at 4605
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1116. 87658306-8306; 01408237-8237, 03496228-6630 at 6269, 6268
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1130. 696000888-0916 at 0903; 98250331-0354 at 0352, 0353; 696000888-0916 at 0903
1131. 696000888-0916 at 0900
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1135. 680114503-4819 at 4605
1136. 03496228-6630 at 6383
1137. 509134626-4626
1138. 03496228-6630 at 6329
1139. 502612446-2446; 03496228-6630 at 6313; 502612740-2740; 500713420-3420
1141. 505562616-2617 at 2617
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1144. 521060910-0912; 682637627-7629 at 7629
1145. Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002, 58:16-24

1146. ATX040070514-0514
1147. ATX040070515-0515; ATX040070516-0516; 03496228-6630 at 6309, 6310, 6580; ATX040070517-0517; ATX040070518-0518; ATX040070519-0519
1148. ATX05007090-7090; MNAT00746229-6229, ATX050070905-0905
1149. ATX010277944-46; ATX010277968-7969; ATX010277947-7947; ATX010277980-7986, 7988, 7990, 7992-7993
1151. 03496228-6630 at 6352
1152. 03496228-6630 at 6271
1153. 03496228-6630 at 6272, 6274
1156. 2024983860-3862 at 3860; Deposition of William Farone, United States v. Philip Morris, April 2, 2002, 91-92
1157. 2043793131-3131
1160. 500887584-7709 at 7586
1161. LB0037946-7950 at 7946
1162. LB0011227-1236 at 1230
1163. Deposition of Michael Pfeil, United States v. Philip Morris, April 10, 2002, 253:4-5
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1165. 520854261-4274 at 4261, 4262, 4263, 4264, 4268
1166. 324534670-4670
1167. 324534670-4670
1168. 324534686-4687 at 4686
1169. 324534684-4685 at 4684
1172. Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 35:21-42:21

1173. Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 48:11-25, 45:13-47:20
1174. 524007145-7151 at 7145, 7146, 7148, 7149
1177. 526462091-2094 at 2091, 2092, 2093
1178. 324538110-8113 at 8110
1179. Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 49:9-50:19
1183. Expert Report of William A. Farone, Ph.D. in United States v. Philip Morris
1184. Deposition of Denise Keane, United States v. Philip Morris, October 2, 2002, 305:23-306:9
1185. 2085319280-9304; Deposition of Denise Keane, United States v. Philip Morris, October 2, 2002, 359:7-363:4
1186. 2085319280-9304 at 9296; Deposition of Denise Keane, United States v. Philip Morris, October 2, 2002, 354:25-356:22
1187. Deposition of Denise Keane, United States v. Philip Morris, October 2, 2002, 354:25-356:22
1188. Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002, 36:5, 38:16
1190. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1191. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1192. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1193. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1194. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1195. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November

- 15, 2001, Report #1
1196. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1197. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1198. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1199. Expert Report of Paul Slovic, Ph.D. in United States v. Philip Morris
1200. Expert Report of Henry Saffer, Ph.D. in United States v. Philip Morris
1201. 1003478193-8196 at 8193, 8194
1202. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1203. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1204. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1205. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1206. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1207. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1208. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1209. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1210. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1

1211. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1
1212. Expert Report of Jeffrey Harris, M.D., Ph.D. in United States v. Philip Morris, November 15, 2001, Report #1

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1214. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris; Deposition of Suzanne LeVan, United States v. Philip Morris, June 25, 2002, 47:23-78:19; 2085298135-8136
1215. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
1218. Expert Report of Michael Eriksen, Ph.D. in United States v. Philip Morris; Substance Abuse and Mental Health Services Administration (SAMSA) 2001 National Household Survey on Drug Abuse
1220. Expert Report of Jonathan Gruber, Ph.D. in United States v. Philip Morris; Preventing Tobacco Use Among Young People: A Report of the Surgeon General (1994) at 29-33 at 65, Table 7
1221. Expert Report of Michael Eriksen, Ph.D. in United States v. Philip Morris; Expert Report of Jonathan Gruber, Ph.D. in United States v. Philip Morris
1222. Expert Report of Michael Eriksen, Ph.D. in United States v. Philip Morris
1223. Expert Report of Michael Eriksen, Ph.D. in United States v. Philip Morris
1224. Expert Report of Paul Slovic, Ph.D. in United States v. Philip Morris
1225. Expert Report of Paul Slovic, Ph.D. in United States v. Philip Morris
1226. Expert Report of Paul Slovic, Ph.D. in United States v. Philip Morris
1227. Expert Report of Paul Slovic, Ph.D. in United States v. Philip Morris
1228. Preventing Tobacco Use Among Young People: A Report of the Surgeon General (1994) at 29-33
1229. Expert Report of Michael Eriksen, Ph.D. in United States v. Philip Morris
1230. Preventing Tobacco Use Among Young People: A Report of the Surgeon General (1994) at 29-30
1231. Preventing Tobacco Use Among Young People: A Report of the Surgeon General (1994) at 29-33
1232. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris; Preventing

- Tobacco Use Among Young People: A Report of the Surgeon General (1994) at 85-86, Tables 20 and 22; N.L. Benowitz & J.E. Henningfield, "Establishing a nicotine threshold for addiction" 331 New England J. Med. 123-125 (1994); "Extent of Smoking and Nicotine Dependence in the United States 1991-1993," D.B. Kandel, et al., 2 Nicotine & Tobacco Research 263, 270-71 (2000)
1233. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris; Preventing Tobacco Use Among Young People: A Report of the Surgeon General (1994) at 85-86, Tables 20 and 22; N.L. Benowitz & J.E. Henningfield, "Establishing a nicotine threshold for addiction" 331 New England J. Med. 123-125 (1994); "Extent of Smoking and Nicotine Dependence in the United States 1991-1993," D.B. Kandel, et al., 2 Nicotine & Tobacco Research 263, 270-71 (2000)
1236. MNAT00280070-0070
1237. 1005040618-0618
1238. TIMN 0098597-0098598
1239. 680263421-3422
1240. 680263421-3422
1241. TIMN 0133740-3798 at 3759-3761
1242. TI05031337-1339
1243. TIMN 0032424-2424
1244. TIMN 0102493-2494, TIMN 0123589-3590
1245. 2024940049-0049; TIMN 333363-3363
1246. 680286673-6686 at 6675-6676, 690149518-9531 at 9520-9521
1247. 03651952-1953
1248. TIMN 0013803-3803; TIMN 0013845-3856 at 3846
1249. TIMN 0053189-3191 at 3189
1250. TIMN 350666-0671; TIMN 375538-5546 at 5539-5541

1251. 80422558-2570 at 2564-2565
1252. 2025861325-1334 at 1327, 1330, 1332
1253. TIMN 194781-4787
1254. TIMN 325834-5835
1255. TIMN 0020530-0531 at 0530
1256. TIMN 0015615-5617 at 5615
1257. TIMN 0057161-7161
1258. TIMN 0133916-3922 at 3917, 3919
1259. TIMN 0019059-9060; TIMN 0024039-4040
1260. 2046573757-3759 at 3757
1261. 2048513994-3994
1262. 2022881505-1505; 2022881503-1503
1263. Deposition of Karen Daragan, United States v. Philip Morris, May 21, 2002, 83-86; 2062341135-1136
1264. 2500050140-0141; Deposition of Dale Frazier, United States v. Philip Morris, July 1, 2002, 111:22-112:10
1265. 2500121308-1353 at 1318-1320

1266. Testimony of Geoffrey Bible, Minnesota v. Philip Morris, March 4, 1998, Volume 32, pages 6153-6395 at 6167
1267. 2078296160-6161
1268. Deposition of Michael Mahan, United States v. Philip Morris, May 31, 2002, 162-168
1269. Deposition of Suzanne LeVan, United States v. Philip Morris, June 25, 2002, 268-270; 2063683072-3077
1270. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 24-26; 2070557699-7702
1271. “Our Responsibility” on www.philipmorrisusa.com
1272. “Responsible Marketing” on www.philipmorrisusa.com
1273. TI05031335-1336, 1003058023-8024
1274. LDOJ 2233261-3261
1275. 00486108-6109
1276. 91763206-3206
1277. Deposition of Steven C. Watson, United States v. Philip Morris, April 2, 2002, 190:5-191:8
1278. www.lorillard.net/corp.html
1279. Deposition of George Telford, United States v. Philip Morris, June 26, 2002, 39:17-42:10, 61:9-64:3
1280. 521038912-8912; 521038792-8792

1281. 03535562-5563; 660008960-8961
1282. British American Tobacco Social Report 2001/2002 on www.bat.com
1283. 503074962-4985 at 4978
1284. 283202743-2744 at 2743
1285. “Marketing & Consumer Communication Principles and Practices” on www.bat.com
1286. “Hot Topics: Corporate Responsibility,” “Marketing Principles and Practices: Advertising” on www.bat.com
1287. 525022464-2464
1288. Deposition of Sharon Smith, United States v. Philip Morris, February 28, 2002, 39:2-10, 39:14-16, 52:15-17, 119:17-19
1289. Deposition of Claudia “Corky” Newton, United States v. Philip Morris, April 17, 2002, 150:15-20, 157:7-22, 158:17-159:4, 160:11-16
1290. Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002, 132:19-20, 133:4-8 134:17-19, 144:20-22, 147:11-13
1291. Deposition of Mark Dambly Smith, United States v. Philip Morris, June 25, 2002, 42:6-8
1292. Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002, 146:2-7
1293. TI03972552-2554 at 2554
1294. 504638054-8056 at 8055

1295. 502276627-6637 at 6633
1296. 500621541-1541; 500638176-8176
1297. 515787126-7129
1298. 507416662-6669
1299. 507603767-3767; 507721148-1153
1300. 682817262-7262
1301. 507706384-6384
1302. Deposition of Edmund Conger Leary, United States v. Philip Morris, May 2, 2002, 30:3-33:12
1303. Deposition of Diane Burrows, United States v. Philip Morris, June 27, 2001, 14:5-7
1304. TIMN 0165921-5923
1305. 513385651-5652; 507647460-7461
1306. 512024008-4011
1307. 509321275-1290 at 1276
1308. Testimony of Lynn J. Beasley, State of Minnesota v. Philip Morris Inc., C1-94-8565
1309. “Marketing Philosophy” on www.rjrt.com
1310. Deposition of Edmund Conger Leary, United States v. Philip Morris, May 2, 2002, 19:13-18, 22:14-16

1311. Deposition of Andrew Schindler, United States v. Philip Morris, June 12, 2002, 47:17-48:2, 59:12-60:3; Deposition of Andrew Schindler, Iron Workers v. Philip Morris, Inc., No. 1:97-CV-1422 (N.D. Ohio), January 29, 1999, 74-74
1312. "Tobacco Issues: RJRT's Approach to Product Stewardship and Risk Reduction Efforts" on <http://www.rjrt.com>
1313. 2025345360-5362; 2070557699-7702
1315. 29 F.R. 530-32
1316. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris; 2025345360-5362; 2070557699-7702; MNAT00608606-8614; TIMN0102493-2494; TIMN 0102495-2498; TIMN0015615-5617; 2022976326-6335; ATX040294056-4056; 503686082-6096; 2021183940-3943
1317. 2025345360-5362; 2070557699-7702; MNAT00608606-8614; TIMN0102493-2494; TIMN 0102495-2498; TIMN0015615-5617; 2022976326-6335; ATX040294056-4056; 503686082-6096; 2021183940-3943
1318. 2065081133-1135
1319. 503686082-6096
1320. 85871536-1569; 502283897-3897; 503685788-5798
1321. 503685788-5798
1322. 03595414-5415
1323. TIMN 0102495-2498
1324. TIMN 325834-5835

1325. ATX040294056
1326. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 24-26; 2021183859-3862
1327. 91384746-4749 at 4747
1328. 1967 FTC Report at 24-27
1329. 2022976326-6335
1330. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
1331. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
1332. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris; Deposition of Edmund Conger Leary, United States v. Philip Morris, May 2, 2002, 64:18-65:21
1333. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
1334. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
1336. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 24-26
1337. 2078016400-6452 at 6435
1338. Deposition of Denise Keane, United States v. Philip Morris, October 1, 2002, 204:5-205:10
1339. 2040171445-1455 at 1445, 1446
1340. Deposition of Nancy Lund, United States v. Philip Morris, June 27, 2002, 171:12-21

1341. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 24-26, 35-39
1342. Deposition of Robert Mikulay, United States v. Philip Morris, June 1, 2002, 55:16-56:11
1343. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 41-49
1344. Deposition of Nancy Lund, United States v. Philip Morris, June 27, 2002, 171:22-172:8
1345. Deposition of Robert Mikulay, United States v. Philip Morris, June 1, 2002, 86:6-91:10, 99:5-103:18, 74:11-78:16
1346. Deposition of Edmund Conger Leary, United States v. Philip Morris, May 2, 2002, 64:18-65:21
1347. Deposition of Victor D. Lindsley, III, United States v. Philip Morris, May 16, 2002, 34:19-38:7
1348. Deposition of Claudia Newton, United States v. Philip Morris, March 17, 2002, 11:10-21, 12:1-4, 61:5-12, 62:20-64:7; Deposition of Claudia Newton, United States v. Philip Morris, May 15, 2002, 42:16-22, 43:11-13, 73:6-11
1351. 507755082-5094 at 5093-5094
1352. 2504024765-4767
1353. 2070478701-8710 at 8702; 321737520-7529 at 7521
1354. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris
1355. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris
1356. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris

1357. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris
1358. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris
1359. "Advertising and Tobacco," Emerson Foote, 245 JAMA 1667-1668 (1981), TIMN 277252-7253
1360. Expert Report of Anthony Biglan, Ph.D. in United States v. Philip Morris
1361. "Tobacco Industry Promotion of Cigarettes and Adolescent Smoking," J.P. Pierce, et al. 279 JAMA 511 (February 18, 1998); "Tobacco Marketing and Adolescent Smoking: More Support for a Causal Inference," Biener, et al., 90 Am. J. Pub. Health 407 (March 2000)
1362. "Tobacco Industry Promotion of Cigarettes and Adolescent Smoking," J.P. Pierce, et al. 279 JAMA 511 (February 18, 1998), 2064968830-8834
1363. Expert Report of Anthony Biglan, Ph.D. in United States v. Philip Morris
1364. "10 Tips From The Top Agency - Exec Explains How Griffin Bacal Scores with Kids," Paul Kurnit Advertising Age 19-20 (February 10, 1992)
1365. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris
1366. "Prevention of Cigarette Smoking Through Mass Media Intervention and School Programs," B.S. Flynn et al. 82 American Journal of Public Health 827 (1992), 508418484-8491
1367. FTC, Trade Regulation Rule for the Prevention of Unfair or Deceptive Advertising and Labeling of Cigarettes in Relation to the Health Hazards of Smoking and Accompanying Statement of Basis and Purpose of Rule at 44, Table 10 (Sept. 1964); FTC, Report to Congress Pursuant to the Federal Cigarette Labeling and Advertisement Act for the Year 1980, Table 7 and 50

1368. FTC, Report to Congress Pursuant to the Federal Cigarette Labeling and Advertisement Act for the Year 1980, Table 7
1369. FTC, Report to Congress Pursuant to the Federal Cigarette Labeling and Advertisement Act for the Year 1980, Table 7 and Table 8
1370. FTC, Report to Congress Pursuant to the Federal Cigarette Labeling and Advertisement Act for the Year 1980 (1982); 670666577-6590; www.OAAA.org/outdoor/
1371. Testimony of James J. Morgan, State of Minnesota v. Philip Morris Inc., C1-94-8565, March 22, 1998 at 13455-56
1373. "Poll Shows Camel Ads are Effective with Kids: Preteens Best Recognize Brand," G. Levin Advertising Age (April 27, 1992), 513193615-3615
1374. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
1375. TI02630273-0286
1377. 670192436-2436
1378. 504075896-5896
1379. 503536932-6932
1380. 513389267-9274 at 9273
1381. 503747121-7122 at 7122
1382. 504100354-0354
1383. 515787126-7129 at 7128
1384. 2048677983-8044 at 7994; Deposition of Michael Mahan, United States v. Philip Morris,

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1385. 528000268-0279; 500175119-5119

1386. Deposition of Shari Teitelbaum, United States v. Philip Morris, March 16, 2002, 57:16-61:12; 2048972933; 2048972933A-2993A

1387. 2069615662-5668

1389. 2022239148-9333 at 9149-9153, 9155, 9163

1390. 2022239142-9147 at 9142, 9144

1391. 2022240073-0075 at 0073-0074

1392. 1005052538-2539 at 5238

1393. 1001755243-5244 at 5244

1395. 2022240887-0887

1396. 2022241769-1771 at 1769

1397. 2045214122-4131

1398. 1005040495-0515

1399. 1005126805-6805

1400. 1001806514-6590 at 6525, 6527

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1403. 1000306237-6239 at 6238
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1405. 1003288248-8249 at 8248
1406. 2026234664-4669 at 4664, 4665-4667
1407. 1000837808-7813 at 7809
1408. 2022163543-3555 at 3544
1409. 1002375102-5107 at 5102
1410. 2041400206-0236 at 0223
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1412. 500769839-9840 at 9839
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1414. 1002646151-6185 at 6152, 6154-6157
1415. 1000730691-0713 at 0691, 0693
1416. 2057065986-5991 at 5988
1417. July 24, 1995 Congressional Record; 1003287987-7989 at 7987; 2060542715-2743 at 2737; 1003288034-8036 at 8036; 1003293097-3098 at 3098
1418. 1000739883-9907 at 9903, 9905, 9907

- 1419. 1003285497-5502 at 5497
- 1420. 2045015823-5828
- 1421. 2045015714-5717
- 1422. 1000743958-3959 at 3958
- 1423. 2024921314-1563 at 1374
- 1424. 1000744089-4096 at 4089, 4092, 4095-4096
- 1425. 1005085359-5359
- 1426. 2045015656-5659
- 1427. 2048370187-0190 at 0189
- 1428. 1005083998-3998
- 1429. 2041761868-1868
- 1430. 1003058994-9017 at 8999
- 1431. 2042521997-2001 at 1997, 2001
- 1432. 20483828174-8176 at 8174-8175
- 1433. 2046788819-8821
- 1434. 2042329572-9572

- 1435. 1000390803-0855 at 0808-0809
- 1436. 1000792013-2013
- 1437. 1003285379-5384 at 5379, 5381-5384
- 1438. 2049456666-6669 at 6667
- 1439. 1003285174-5178 at 5174
- 1440. 2028817401-7576 at 7504, 7508
- 1441. 2044390059-0073
- 1442. 2040280991-1003 at 0993
- 1443. 2500002189-2207 at 2203, 2205
- 1444. 2001265000-5045 at 5012, 5030
- 1445. 2040282066-2092 at 2066; 2040282065-2065
- 1446. 2056267569-7584 at 7570, 7572-7573
- 1447. 2040750492-0510 at 0495, 0496
- 1448. 2041595387-5387
- 1449. 2045287059-7067 at 7063-7064
- 1450. 2044732959-2963 at 2959

- 1451. 2042078401-8405 at 8402; 2022214369-4395 at 4369
- 1452. 2042329558-9561 at 9561
- 1453. 2045471014-1015 at 1014
- 1454. 2023035490-5496 at 5490, 5492
- 1455. 2080009511-9515 at 9511
- 1456. 507988220-8224 at 8221-8222
- 1457. 2025863632-3635
- 1458. 101st Congress, House, Committee on Energy and Commerce, Vol. 38, Page 359-60 (1989)
- 1459. 2023326334-6340 at 39-40
- 1460. 2060393130-3156 at 3145
- 1461. 2025871433-1506 at 1434, 1438, 1440
- 1462. 2048677983-2048678044 at 7984-85, 7987, 7994, 8037
- 1463. 2504034812-4813 at 4812
- 1464. 2026230097-0713
- 1465. 2043982154-2167 at 2155, 2159
- 1466. 2049397333-7369 at 7348, 7350

1467. 2072697569-7574 at 7571
1468. 2045732054-2074 at 2054, 2057-2058
1469. 2045731041-1044 at 1041, 1043
1470. 2046569094-9117 at 9105, 9115
1471. 2021508238-8242 at 8239
1472. 2044895379-5484 at 5385
1473. 2045060177-0203 at 0178, 0180
1474. 2501081089-1104 at 1093, 1094
1475. 2046569728-9731 at 9728, 9729-9730
1476. 2042538958-8968; 2046569728-9731 at 9728-9729
1477. 2501058650-8680 at 8658, 8667; 204659728-9731 at 9728-9729
1478. 2071032180-2203 at 2181, 2185, 2187
1479. 2042581409-1519; 204659728-9731 at 9728-9729
1480. 2023771556-1604 at 1587-1588, 1603
1481. "Tobacco Situation and Outlook," USDA Economic Research Service (April 1995); Identifiable objectives, depths of resources and strength of commitment are the keys to success in a price war. Don't launch one if you don't have them. Financial Times (July 1996)

1482. 2062331315-1324 at 1322
1483. 2071030043A-0068 at 0043A, 0050
1484. 2048237361-7370 at 7366
1485. 2061808612-8620 at 8612
1486. Deposition of Thomas Dudreck, June 21, 2002, United States v. Philip Morris, 83:9-107:19; LB0053448-3468; LB0058147-8186; LB0053469-3533
1487. 2044934347-4348 at 4347
1488. 2060331505-1687 at 1523
1489. 2045616238-6240 at 6239-6240
1490. Deposition of Carolyn Levy, People of the State of California v. Philip Morris, June 2, 1998, 19:1-30:25
1491. 2048735500-5604 at 5505, 5518, 5531-5541, 5547, 5543, 5555, 5501, 5508
1492. 2048735500-5604 at 5565-5604, 5563-5564
1493. 2046828693-8697 at 8693; 2046828612-8615 at 8612
1494. 2071349278-9281; 204659728-9731 at 9728-9729
1495. Deposition of Nancy Lund, United States v. Philip Morris, June 27, 2002, 200:25-203:9
1496. 2045592024-2082
1497. 2071580565-0605

1498. Deposition of Karen Eisen, United States v. Philip Morris, June 20, 2002, 65-67; 2045596130-6141; 2045719095-9180 at 9097
1499. 2045592699-2709; 2040180022-0049
1500. 2040181457-1531; 2045729000-9065
1501. Deposition of Nancy Lund, United States v. Philip Morris, June 27, 2002, 194:14-197:2; 2073056243-6263
1502. 2080985436-5438
1503. Deposition of Shari Teitelbaum, United States v. Philip Morris, March 16, 2002, 23:14-24:23, 42:13-44:3, 77:21-78:25
1504. Deposition of Michael Mahan, United States v. Philip Morris, May 31, 2002, 76-77, 84-85, 186-194
1505. Deposition of Suzanne LeVan, United States v. Philip Morris, June 25, 2002, 124:14-17
1506. LG2011235-1235
1507. Testimony of Bennett LeBow, Howard A. Engle v. R.J. Reynolds Tobacco Co., 94-08273, June 22, 2002, at 55408
1508. Testimony of Bennett LeBow, State of Minnesota v. Philip Morris Inc., C1-94-8565, September 27, 1997, 69, 100
1509. Answer of The Liggett Group, Inc. to Plaintiff's Complaint For Damages and Injunctive and Declaratory Relief, United States v. Philip Morris, November 2, 2000
1510. Deposition of James Taylor, United States v. Philip Morris, June 14, 2002, 99:22-102:3

1511. Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 95:10-96:11
1512. 89834681-4684 at 4681
1513. 84409798-9799
1514. 01124257-4265 at 4262
1515. 59834271-4271
1516. 92352889-2890
1517. 91270029-0030 at 0029
1518. 85561072-1079 at 1072
1519. 03280646-1046 at 0658
1520. 91529144-9146 at 9145
1521. 01424199-4215 at 4207, 4208
1522. 03366372-6382 at 6378
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- 1527. 85087247-2754 at 7248
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- 1529. 01110993-1032 at 1030
- 1530. 84411691-1718 at 1694, 1698
- 1531. 03926040-6042 at 6040
- 1532. 04334493-4500 at 4494, 4497, 4499
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- 1534. 04398447-8468 at 8447-8448, 8450
- 1535. 85377724-7729
- 1536. 89817995-7998
- 1537. 92278882-8951 at 8898
- 1538. 88024283-4286 at 4284
- 1539. 92330049-0050; 92670418-0419
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- 1541. 88024194-4195
- 1543. 91945017-5124 at 5033, 5045

1544. 82875399-5520 at 5401
1546. Deposition of George Telford, United States v. Philip Morris, June 26, 2002, 102:3-7
1547. Deposition of Victor D. Lindsley, III, United States v. Philip Morris, May 16, 2002, 113:13-15, 115:7-116:3
1548. Deposition of George Telford, United States v. Philip Morris, June 26, 2002, 85:13-88:14
1549. Deposition of George Telford, United States v. Philip Morris, June 26, 2002, 57:19-62:2
1550. 30308897-8899 at 8898
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1554. LG2004540-4542 at 4540, TB1001 1183-1185 at 1183
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1558. 170042014-2014
1559. 670186789-6824 at 6811, 6815
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1562. 170041305-1306 at 1305
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1564. 779217759-7833 at 7760, 7768, 7827; 779217758-7793 at 7760, 7768
1565. 682823798-3801 at 3801; 680500903-1076 at 0918, 0930, 0942, 0945
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1573. 666011286-1287 at 1286
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1575. 660110387-0390 at 0387
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1577. 566627826-7935 at 7839

1578. 686052362-2364
1579. 105609269-9272 at 9270
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1581. 666022850-2898 at 2856; 675159236-9242 at 9238; 675159255-9257 at 9256
1582. 109883101-3103 at 3101
1583. 660110384-0386 at 0385
1584. 542011811-1812
1585. 401857185-7185
1586. 670624652-4705 at 4654
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1591. 690132323-2324 at 2323
1592. 685086478-6487 at 6478, 6479, 6480, 6487
1593. 675048039-8042 at 8039; 101st Cong, House, Committee on Energy and Commerce, Vol.38, Page 2 (1989)

- 1594. 690132319-2319
- 1595. 685083120-3120
- 1596. 676026171-6172 at 6171
- 1597. 539003010-3021 at 3010, 3012
- 1598. 670585199-5216 at 5211, 5212, 5214
- 1599. 674017018-7030
- 1600. 522000971-0978 at 0974
- 1601. 102694872-4881 at 4872, 4873
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- 1607. 400229127-9148 at 9131-9132, 9134, 9138, 9139
- 1608. 528000268-0279 at 0269, 0275
- 1609. 109870521-0561 at 0536

1610. 566627937-7946
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1612. 671443677; 461301164-1167
1613. 795005304-5331 at 5307
1614. 291001509-1515 at 1509, 1513
1615. 58202302425-2436 at 2426; Deposition of Sharon Smith, United States v. Philip Morris, February 22, 2002, 194:4-24; Deposition of Sharon Smith, United States v. Philip Morris, February 28, 2002, 123:5-22
1616. 314002773-2792 at 2776
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1621. 220280849-0849
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1623. Deposition of Sharon Smith, United States v. Philip Morris, February 22, 2002, 29:9-12, 29:18-20, 30:10-20, 37:4-5, 58:22-59:6, 182:24-184:5
1624. Deposition of Sharon Smith, United States v. Philip Morris, February 22, 2002, 27:4-6, 64:11-13, 194:4-7; 582302425-2425 at 2426; Deposition of Sharon Smith, United States

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1625. 210430224-0228

1627. 306016958-6970 at 6964

1628. 309030803-0805 at 0803

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1630. Deposition of Sharon Smith, United States v. Philip Morris, February 22, 2002, 81:01-82:11, 175:00-176:00; 680116947-6968 at 6958; 282300205-0207

1631. Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002, 155:17-18

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1633. 501113763-3764

1634. 501113743-3749

1635. 501113724-3730

1636. 500396570-6607 at 6572

1637. 501795141-5141

1638. 503686082-6096; 502283897-3897; 503685788-5798

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1654. 500724265-4313 at 4272-4273
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1656. 500791561-1577 at 1566

1657. 501899346-9359 at 9351
1658. 508116703-6704
1659. 500571479-1481
1660. 503874245-4247; 501186367-6369; 500254578-4580; 501186367-6369
1661. 501190133-0134
1662. 500746950-6976 at 6951
1663. 500796928-6924 at 6928; 500796976-6983 at 6977
1664. 505775556-5557 at 5557
1665. 501376255-6406
1666. 500769032-9036 at 9032
1667. Deposition of Edmund Leary, United States v. Philip Morris, May 2, 2002, 102:09-105:12; 501630269-0288 at 0283
1668. 500379448-9474
1669. 500234050-4051
1670. 500387795-7860
1671. 500686342-6351 at 6342
1672. 500944757-4758

1673. 500945157-5158
1674. 501443912-3921; 501098917-8922; 501443912-3921; 501098917-8922; 500768429-8438; 500768427-8428; 501254289-4301; 501254267-4283; 501757367-7379; 500768754-8754; 500794841-4843
1675. 501443912-3921 at 3912, 3915
1676. 500768427-8428 at 8427
1677. 501254289-4301 at 4289, 4291
1678. 500686301-6313 at 6302
1679. 508453894-3894; TINY0002578-2578
1680. 5261476929-7161 at 7010-7012; Deposition of Diane S. Burrows, United States v. Philip Morris, June 27, 2001, 24:03-10
1681. 503747121-7122
1682. Deposition of Diane S. Burrows, United States v. Philip Morris, June 27, 2001, 15:19-16:04
1683. 501340949-0950
1684. Deposition of Diane S. Burrows, United States v. Philip Morris, June 27, 2001, 55:09-56:14; Deposition of Gerald H. Long, United States v. Philip Morris, October 18, 2001, 66:04- 25
1685. 502303940-3940; Deposition of Edward A. Horrigan, Jr, United States v. Philip Morris, October 25, 2001, 25:00-26:00

1686. 506768857-8857
1688. "R.J. Reynolds Nabisco's Cartoon Camel Promotes Camel Cigarettes to Children," J.R. DeFranza et al. 266 JAMA 3149 (1991)
1689. 502661958-1963; 501291100-1101; 503011402-1403
1690. 503579240-9244 at 9240-9241
1691. 503412316-2318 at 2316
1692. 800057286-7321 at 7299
1693. 500582269-2272 at 2270
1694. 503011370-1378 at 1371; 503011368-1369; 513318391-8392
1695. 502761709-1714 at 1709
1696. Deposition of Diane S. Burrows, United States v. Philip Morris, June 27, 2001, 16:23-17:04
1697. "Tailoring Medium to Marketers' Needs," G. Levin Advertising Age (Oct. 3, 1985) cited in 101st Cong, House, Committee on Energy and Commerce, Vol.38, Page 54 (1989)
1698. 500863242-3272
1699. 521895585-5587 at 5585
1700. 517142223-2257 at 2224, 2330
1701. 502034940-4943 at 4940

1702. 503049069-9072 at 9069; 501431517-1610; 50665 3291-3375
1703. 503049069-9072 at 9070-9071
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1707. 503517461-7462
1708. Deposition of Diane S. Burrows, United States v. Philip Morris, June 27, 2001, 53:14-54:17; 503571003-1003
1709. 503561565-1570 at 1567
1710. 505931938-2044
1711. 521895554-5555
1712. 505736433-6454 at 6435
1713. 5143471837-1839 at 1837
1714. 503969238-9242 at 9238
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1717. 521895431-5450 at 5434

1718. 521190415-0418 0416
1719. 507843401-3401
1720. 521895453-5465
1721. 506877657-7658
1722. 521895557-5559 at 5557
1723. 506864599-4601 at 4600
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1730. 506768775-8783 at 8777, 8779-8783
1731. 509131846-1847; Deposition of Edmund Conger Leary, United States v. Philip Morris, May 2, 2002, 59:7-60:15
1732. Deposition of Diane S. Burrows, United States v. Philip Morris, June 27, 2001, 60:10-61:14; Deposition of Edmund Conger Leary, United States v. Philip Morris, May 2, 2002, 45:2-11; 509131376-1378

- 1733. 513590183-0185
- 1734. 521895566-5570
- 1735. 521895803-5805
- 1736. 506664499-4558 at 4499-4500, 4506-4507, 4557
- 1737. 507286174-6181 at 6175, 6178
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- 1741. 507525018-5023
- 1742. 507181261-1261
- 1743. 507257278-7281 at 7278
- 1744. 507301283-1298 at 1286, 1298
- 1745. 507511965-1967 at 1195-1196
- 1746. 89281671-1671
- 1747. 507341428-1430 at 1430
- 1748. 516018462-8462

- 1749. 509216033-6056
- 1750. 507798137-8230 at 8142
- 1751. 509216028-6032 at 6030
- 1752. 507490339-0354 at 0346-0347
- 1753. 509131534-1534
- 1754. 526310001; 526310004; 509137485
- 1755. 2025685890-6054 at 5997
- 1756. 507755082-5094 at 5085, 5091
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- 1758. 507642890-2934 at 2906
- 1759. 507642890-2934 at 2910
- 1760. 509045369-5371 at 5370
- 1761. 512027239-7240 at 7240
- 1762. 517145060-5108 at 5064
- 1763. 517145060-5108 at 5082
- 1764. 521896268-2695

1765. 511429909-9910 at 9909
1766. 514510001-0015 at 0006
1767. 513878927-8957 at 8929, 8942
1768. 514190393-0416 at 0399
1769. 518117818-7841 at 7825
1770. 518116832-6891 at 6855
1771. 522669065-9093 at 9068
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1773. 522728838-8920 at 8898-8916
1774. 522694030-4038 at 4030, 4307
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1776. 522668813-8821 at 8816
1777. 514200832-0886 at 0865-0867
1778. 520601648-1697
1779. 517201756-1767 at 1756
1780. Deposition of Douglas Weber, United States v. Philip Morris, May 13, 2002, 59:8-15

1781. Deposition of Andrew Schindler, United States v. Philip Morris, June 12, 2002, 108:3-109:20, 118:6-121:7
1782. Deposition of Andrew Schindler, United States v. Philip Morris, June 12, 2002, 99:20-101:21
1783. Deposition of Edmund Conger Leary; United States v. Philip Morris, May 2, 2002, 45:17-46:12
1784. Deposition of Andrew Schindler, United States v. Philip Morris, June 12, 2002, 60:00-61:00, 46:08-48:2
1785. TI05031337-1338 at 1338
1787. 2001265000-5045 at 5030
1788. 2043087722-7732 at 7723
1789. 2045287059-7067 at 7063
1790. 2049397333-7369 at 7343, 7348
1791. 2071578268-8958 at 8276
1792. 2048735500-5604 at 5544, 5546
1793. 2071580565-0566 at 0566
1794. 2045596130-6141 at 6133
1795. 2080310506-0566 at 0517, 0518
1796. Deposition of Nancy Lund, United States v. Philip Morris, June 27, 2002, 225:20-22; 2080310506-0566

1797. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 111:22-114:24
1798. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 115:20-117:2
1799. Deposition of Shari Teitelbaum, United States v. Philip Morris, April 16, 2002, 04/16/2002, 77:22-78:25
1800. Deposition of Nancy Lund, United States v. Philip Morris, June 27, 2002, 137:17-140:13, 197:24-199:11
1801. 91945017-5124 at 5033, 5045
1802. 94291134-1139 at 1134
1803. Deposition of Victor Lindsley, United States v. Philip Morris, May 16, 2002, 115:07-116:03
1804. Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002, 73:09-25
1805. 517142220-2222 at 2222
1806. 506768775-8784 at 8776, 8781-8784
1807. Deposition of Edmund Conger Leary, United States v. Philip Morris, May 2, 2002; 62:20-23
1808. Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002, 146:15-147:07
1809. Expert Report of Frank J. Chaloupka, Ph.D. in United States v. Philip Morris

1810. Expert Report of Frank J. Chaloupka, Ph.D. in United States v. Philip Morris
1811. Expert Report of Frank J. Chaloupka, Ph.D. in United States v. Philip Morris; Federal Trade Commission, Cigarette Report for 1999 (2001),
<http://www.ftc.gov/reports/cigarettes/1999cigarettereport>
1812. Expert Report of Frank J. Chaloupka, Ph.D. in United States v. Philip Morris
1813. Expert Report of Frank J. Chaloupka, Ph.D. in United States v. Philip Morris
1814. "The Food and Drug Administration's Rule on Tobacco: Blending Science and Law,"
David Kessler et al. 99 Pediatrics 884 (June 1997)
1816. 2022240073-0075
1817. 1003285497-5502 at 5497, 5500
1818. 1003478193-8196 at 8193-8194
1819. 1003478193-9196 at 8196
1820. 2022249717-9721 at 9720
1821. 2049456696-6702 at 6700
1822. 2049456635-6650 at 6639
1823. 2049456670-6694 at 6684
1824. 2022216179-6180
1825. 2049397333-7369 at 7343, 7350

1826. 2060295219-5220 at 5219
1827. 2048735500-5604 at 5561
1828. 2024252441-2562 at 2441
1829. Deposition of Robert Mikulay, United States v. Philip Morris, July 1, 2002, 145:13-146:19
1830. Deposition of Carolyn Levy, United States v. Philip Morris, April 26, 2002, 546:6-547:13
1831. Deposition of Geoffrey Bible, United States v. Philip Morris, August 22, 2002, 245:8-245:9
1832. Deposition of Harold Petch, United States v. Philip Morris, October 12, 2001, 101:25-102:21
1833. 503482154-2201 at 2157
1834. 670579615-9625 at 9616
1835. Deposition of Mark Kovatch, United States v. Philip Morris, June 5, 2002, 28:8-29:5, 72:19-72:25
1836. 501988846-8849 at 8846,8848
1837. 500151647-1647
1838. 504630699-0702 at 0701
1839. 513318391-8392 at 8392
1840. 505611105-1138 at 1106,1124

1841. 509131376-1378
1842. Deposition of Suzanne LeVan, United States v. Philip Morris, June 25, 2002, 268:3-268:14, 268:20-268:23
1843. Deposition of Suzanne LeVan, United States v. Philip Morris, June 25, 2002, 269:11-269-18
1844. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 24:3-25:9
1846. Deposition of Michael Mahan, United States v. Philip Morris, May 31, 2002, 157:20-160:22; Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 88:12-89:4
1847. Deposition of Edmund Leary, United States v. Philip Morris, May 2, 2002, 25:7-27:15, 63:3-64:17
1848. Deposition of Steven Shipe, United States v. Philip Morris, May 21, 2002, 86:22-87:13
1849. Deposition of Victor Lindsley, United States v. Philip Morris, May 16, 2002, 23:21-24:3
1851. Federal Trade Commission, Report to Congress for 1999, Pursuant to Federal Cigarette Labeling and Advertising Act, Washington, DC: Federal Trade Commission (2001)
1852. Federal Trade Commission, Report to Congress for 1999, Pursuant to Federal Cigarette Labeling and Advertising Act, Washington, DC: Federal Trade Commission (2001)
1853. Federal Trade Commission, Report to Congress for 1999, Pursuant to Federal Cigarette Labeling and Advertising Act, Washington, DC: Federal Trade Commission (2001)
1854. Federal Trade Commission, Report to Congress for 1999, Pursuant to Federal Cigarette Labeling and Advertising Act, Washington, DC: Federal Trade Commission (2001)
1855. Federal Trade Commission, Report to Congress for 1999, Pursuant to Federal Cigarette

- Labeling and Advertising Act, Washington, DC: Federal Trade Commission (2001)
1856. 2085296400-6461 at 6412; Deposition of Michael Mahan, United States v. Philip Morris, May 31, 2002, 145:22-154:25
1862. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris
1863. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris
1864. Expert Report of Frank Chaloupka, Ph.D. in United States v. Philip Morris
1865. 2085296400-6461 at 6412; Deposition of Michael Mahan, United States v. Philip Morris, May 31, 2002, 148:12-149:3
1866. Joyce Julius and Associates, Sponsor's Report 1999 (Chicago)
1869. 2085629327-9339 at 9328
1870. Federal Trade Commission, Report to Congress for 1999, Pursuant to Federal Cigarette Labeling and Advertising Act, Washington, DC: Federal Trade Commission (2001)
1871. 2064968835-8838
1872. "Youth Targeting By Tobacco Manufacturers Since the Master Settlement Agreement," Paul J. Chung, Craig F. Garfield, et al. 21:2 Health Affairs (March/April 2002)
1874. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 24:23-27-10, 32:19-33:11, 51:19-52:4, 81:14-82:16
1875. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 24:23-27-24, 51:19-52:8, 81:14-82:16
1876. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 52:9-55:25

1877. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 29:4-30-19
1878. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 107:6-115:11; 2071230813-0888
1879. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 113:6-114:24; 2080499829-9896
1880. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 111:22-113:5; 2071230813-0871
1881. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 114:25-117:2; 2080499829-9896
1882. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 149:2-152:14; 2080499829-9896 at 9837
1883. 2070748847-8852 at 8847
1884. 98303544-3545; 522048075-8076
1885. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 153:8-155:5; 2085314264-4265
1886. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 154:21-156:5; 2085314264-4265
1887. 2085314271-4271
1888. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 52:9-55:25; 2085314209-4215; 2085314271-4271
1889. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 85:20-87:2, 92:2-93:15

1890. 2071294033-4042; 2070354075-4088
1891. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 65:18-68:16, 69:25-70:18; 2021183859-3862
1892. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 72:7-73:15, 76:24-81:4
1893. 2071294089-4090; 2071294011-4032; 2071294007-4009; 2071294086-4088; 2071294061-4063; 2071294004-4005; 20071294001-4002, 2071294006-4006
1894. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 62:16-76:23
1895. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 87:3-89:13
1896. Deposition of John Long, United States v. Philip Morris, June 24, 2002, 11:18-17:18
1897. Deposition of James Taylor, United States v. Philip Morris, June 14, 2002, 95:8-99:21
1898. Deposition of George Telford, United States v. Philip Morris, June 26, 2002, 31:14-37:7
1899. Deposition of Victor Lindsley, United States v. Philip Morris, May 16, 2002, 79:9-81:1
1900. Deposition of George Telford, United States v. Philip Morris, June 26, 2002, 31:14-37:7
1901. 92278882-8951 at 8898
1902. Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002, 148:9-150:24
1903. 210210020-0022; 2071238055-8057
1904. Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002, 137:13-139:15; Deposition of Sharon Smith, United States v. Philip Morris, February 22, 2002, 130:1-

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1905. Deposition of Sharon Smith, United States v. Philip Morris, February 22, 2002, 131:16-138:1, 163:3-163:12, 213:19-215:12; 282300241-0250; 282300205-0207
1906. 525022464-2464
1907. Deposition of Claudia Newton, United States v. Philip Morris, May 15, 2002, 138:25-141:7; Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002, 139:16-142:15
1908. Deposition of Brennan Dawson, United States v. Philip Morris, May 16, 2002, 84:9-86:10, 94:19-95:3
1909. 670661599-1665 at 1628
1910. Deposition of Sharon Smith, United States v. Philip Morris, February 22, 2002, 146:20-149:15
1911. Deposition of Claudia Newton, United States v. Philip Morris, May 15, 2002, 127:25-128:11, 139:25-146:18
1912. 522694030-4038 at 4037
1913. Deposition of Patricia Ittermann, United States v. Philip Morris, May 17, 2001, 17:2-17:18, 28:8-28:14, 522678810-8810
1914. 520417937-7939
1915. 522669001-9002 at 9002
1916. 517508852-8855
1917. 522371133-1136 at 1134

1918. Deposition of Diane Burrows, United States v. Philip Morris, June 27, 2001, 31:5-32:9
1919. Deposition of Patricia Ittermann, United States v. Philip Morris, May 17, 2001, 52:15-58:22
1920. Deposition of Patti Ittermann, United States v. Philip Morris, May 17, 2001, 95:21-102:23; 522041457-1460
1921. Deposition of Patti Ittermann, United States v. Philip Morris, May 17, 2001, 34:2-35:19, 43:9-44:15, 58:10-58:18, 81:1-82:18; Deposition of Andrew Schindler, United States v. Philip Morris, June 12, 2002, 27:7-28:5; 522040903-0903
1922. Deposition of Patricia Ittermann, United States v. Philip Morris, May 17, 2001, 75:24-76:21; Deposition of Andrew Schindler, United States v. Philip Morris, June 12, 2002, 27:7-28:5
1923. Deposition of Patricia Ittermann, United States v. Philip Morris, May 17, 2001, 46:1-48:24

F. Representations Regarding Independent Research

1928. 515740621-0632; Deposition of John Rupp, United States v. Philip Morris, June 28, 2002, 49:2- 52:5; 86024168-4172; Deposition of Donald Hoel, United States v. Philip Morris, June 27, 2002, 91:19-92:7
1930. HT0072119-2125, CTR BYL 000001-0014, MN Defendant Exhibit No. MD000289
1931. 11309817-9817; TIMN0029907-9907; 505542772-2772
1932. 11309817-9817; TIMN0029907-9907; 505542772-2772
1933. 500518759-8761 at 8761
1934. 98248074-8078 at 8074, 8077-8078
1935. 81215758-5780 at 5762
1936. 2022239339-9343 at 9341
1937. Lowe v. R.J. Reynolds, No. 9371 (E.D. Mo.), filed on March 10, 1954; 501859088-9093 at 9090-9091
1938. TIMN0118245-8246 at 8245
1939. 1000235218-5230 at 5227
1940. 1000313777-3779 at 3777
1941. 620047929-7972 at 7963
1942. TIMN0081352-1352

1943. 2010008819-8822 at 8820
1944. LATH 00215975-5989 at 5987-5988
1945. 1003057214-7220 at 7214, 7218
1946. TIMN0081352-1352
1947. TIMN0123735-3739 at 3736, 3739
1948. TIMN0123716-3720 at 3718
1949. 2015023269-3270 at 3269
1950. 1002410318-0351 at 0333, 0340
1951. 500021655-1710 at 1658
1952. 680212399-2407 at 2399, 2400, 2407
1953. TIMN0121443-1448 at 1447
1954. 1005126168-6195 at 6169, 6189; TIMN258546-8573 at 8547, 8567
1955. 2046754709-4710 at 4710; 670500617-0619; 2045377870-7876
1956. TIMN194781-4787 at 4784
1957. 70059254-9267 at 9258, 9261, 9265-9266
1958. 700805002-5011 at 5004, 5008

1959. 700805002-5024 at 5004, 5013, 5019, 5022
1960. 2083483332-3340 at 3333-3334
1961. <http://www.philipmorrisusa.com/DisplayPageWithTopicd59b.asp> at 1
1962. British American Tobacco Social Report 2001/2002 at 35, www.bat.com
1963. 11309817-9817; TIMN0029907-9907; 505542772-2772
1964. 01138996-8997 at 8997
1965. TIMN0116378-6384 at 6378, 6380
1966. 508775263-5299 at 5265, 5266, 5278
1967. CTR PUBLIC STMT 000093-0095 at 0093
1968. 682631364-1368
1970. 01346193-6196
1972. CTR MN 004924-4927 at 4924; 681879254-9715 at 9380
1973. 508775263-5299 at 5297; 681879254-9715 at 9378-9380
1974. HT0145314-5316 at 5314; 681879254-9715 at 9382
1975. 681879254-9715 at 9384
1976. 1005039987-40008

1977. CTR MN 005534-5541 at 5534; 681879254-9715 at 9385
1978. CTR MN 004949-4952 at 4952; 681879254-9715 at 9387
1979. CTR MN 004981-4982 at 4981; 681879254-9715 at 9387
1980. CTR MN 004985-4986 at 4985; 681879254-9715 at 9387
1981. CTR MN 004324-4330 at 4329; 681879254-9715 at 9390-9391
1982. Expert Report of Allan Brandt, Ph.D. in United States v. Philip Morris; 501773418-3466
1983. Expert Report of Allan Brandt, Ph.D. in United States v. Philip Morris; 501773418-3466
1984. Deposition of Alexander Spears, State of Minnesota v. Philip Morris Inc., September 24, 1997, 413:2-414:3; 100319099-9135
1985. HT135161-5164 at 5164
1986. LG2023842-3843 at 3842
1987. 01421596-1600 at 1598
1988. 1000255934-5936 at 5934-5935; 681879254-9715 at 9403
1989. 2022246951-6952 at 6952
1990. 2045752106-2110 at 2107
1991. WA2021016004-6005 at 6004
1992. 1005045363-5364 at 5363

1993. TIMN0077551-7554
1994. 682631909-32261 at 31920, 32060-32063
1995. 670307892-7894 at 7893; 680262162-2162; 512678701-8710 at 8709-8710
1996. 680008539-8756 at 8626
1997. 682631909-2261 at 2074-2075
1999. 682639282-9288 at 9282-9286
2000. 503654893-4894 at 4893
2001. 80192013-2113 at 2104
2002. 2057769088-9094; 2057769087-9087; 1000036584-6590
2003. 682338651-8653 at 8651
2004. CTR MIN-BD 000130-0134 at 0132; Second Amended Response of Defendant CTR to United States' Second Set of Interrogatories, Interrogatory 3 (August 9, 2002)
2005. Second Amended Response of Defendant CTR to United States' Second Set of Interrogatories, Interrogatory 3 (August 9, 2002)
2006. Deposition of Lorraine Pollice, United States v. Philip Morris, July 27, 2002, 109:20-119:21; Deposition of Suzanne Oparil, United States v. Philip Morris, July 16, 2002, 127:19-130:3
2007. 1003724290-4291 at 4290
2008. <http://docs.house.gov/tobacco/docs/bw/0012695326.tif> at 13

2009. <http://docs.house.gov/tobacco/docs/bw/0012685353.tif> at 6
2010. 80410972-0976 at 0972, 0974
2011. 00552837-2839 at 2837
2012. 686052385-2387 at 2386
2013. 2048924986-5018 at 5001
2014. State of Minnesota v. Philip Morris, Inc., C1-94-8565, Plaintiff Exhibit No. 2909
2015. LG2002635-2638 at 2637
2016. CTR MN 041347-1350 at 1349
2017. <http://docs.house.gov/tobacco/docs/bw/0012690844.tif> at 15
2018. 2015021479-1481
2019. 87657627-7629 at 7627
2020. 680252584-2584
2021. Trial Testimony of Fred Homburger, Cipollone v. Liggett, Civil Action No. 83-2864(SA) (D.N.J.), February 23, 1988 at 2718-2729
2022. CTR MN ZN 475-477 at 477; CTR MN ZN 19604-9605 at 9605; 2022886197-6198 at 6198
2023. 11319256-9256

2024. 1000036500-6502 at 6500, 6502
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2051. 87715637-5638
2052. 2015002730-2730; 2501190758-0759; 2015002794-2794; 52110040-0040; 521100027-
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2058. 680260940-0942
2059. 01335922-5922
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2063. 514806129-6131 at 6130
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2068. CTR MN 004320-4323 at 4320; 681879254-9715 at 9388
2070. CTR MN 004331-4335 at 4332; 681879254-9715 at 9391-9392
2071. 04209323-9326 at 9323; 681879254-9715 at 9392

2072. <http://docs.house.gov/tobacco/docs/bw/0012691297.tif> at 11
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2077. <http://docs.house.gov/tobacco/docs/bw/0012685353.tif> at 2, 6
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2170. Trial Testimony of Gary Huber (via deposition), Dunn & Wiley v. RJR Nabisco Holding Corp., No. 18D01-9305-CT-06 (Ind.), March 3, 1998, 5503:6-5504:4
2171. Trial Testimony of Gary Huber (via deposition), Dunn & Wiley v. RJR Nabisco Holding Corp., No. 18D01-9305-CT-06 (Ind.), March 3, 1998, 5498:4-5499:1, 5503:6-13
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- 2179. 680249787-9788 at 9787
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- 2183. 500529893-9893
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2192. Expert Report of Jeffrey Harris, M.D., Ph.D. (November 15, 2001) in United States v. Philip Morris
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2280. Deposition of James Mold, Cippollone v. Liggett Group, Inc., January 11, 1988, 192-195
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2365. Deposition of David Townsend, United States v. Philip Morris, August 1, 2002, 514-516; Deposition of David Townsend, United States v. Philip Morris, September 5, 2002, 645-683; Townsend Exhibit No. 21; 50777 7205-7208; 50803 8867-8868; 50639 0907-0907; 51767 7304-7306; 52453 8474-8474; 51180 0230-0230; 51180 0168-0169; 50840 0959-0959; 51562 0738-0739; 51685 7946-7946; 51472 1726-1729
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2368. Deposition of David Townsend, United States v. Philip Morris, August 1, 2002, 514-516; Deposition of David Townsend, United States v. Philip Morris, September 5, 2002, 645-683; Townsend Exhibit No. 21; 50777 7205-7208; 50803 8867-8868; 50639 0907-0907; 51767 7304-7306; 52453 8474-8474; 51180 0230-0230; 51180 0168-0169; 50840 0959-0959; 51562 0738-0739; 51685 7946-7946; 51472 1726-1729
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2391. RC 6029339-9339; 65009 9319-9319; RC 6030238-0239; LIG 70262-0263; RC 6030071-0071; Deposition of James Mold, Cippollone v. Liggett Group, Inc., November 26, 1985, 362-364
2392. RC 6030238-0239, LIG 70262-0263; Hearing on the Legality of Cigarette Advertisements Under the Federal Trade Commission Act, 880504 Before the House Subcomm. on Transportation, Tourism and Hazardous Materials (1988) (testimony of James Mold)
2393. Expert Report of Jeffrey Harris, M.D., Ph.D. (November 15, 2001) in United States v. Philip Morris; LG 2013584–3587; LG166090–6102 at 6101 (Figure 2); Trial testimony of Lawrence Meyer in State of Washington v. American Tobacco Co., November 10, 1988 at 5441-5443
2394. 681879254-681879715 at 9487 n. 298; Deposition of James Mold, Cippollone v. Liggett Group, Inc., November 25, 1985, 26-27
2395. Expert Report of Jeffrey Harris, M.D., Ph.D. (November 15, 2001) in United States v. Philip Morris; LG60203277–3279; LG60203242-3244; LG0203266-3266; LG2013588–3594
2396. Deposition of James Mold, Cippollone v. Liggett Group, Inc., November 26, 1985, 365-366; Deposition of John Bowen Ross, State of Washington v. American Tobacco Co., October 22, 1998, 38, 53-60
2397. Deposition of James Mold, Cipollone v. Liggett Group, Inc., November 25, 1985, 21-24
2398. Deposition of James Mold, Cipollone v. Liggett Group, Inc., November 25, 1985, 21-24
2399. Expert Report of Jeffrey Harris, M.D., Ph.D. (November 15, 2001) in United States v. Philip Morris; LG0203002-3002; LG0230997–1005; LG0266007–6010; Deposition of James Mold, Cipollone v. Liggett Group, Inc., November 25, 1985, 31; Deposition of John Bowen Ross, State of Washington v. American Tobacco Co., October 22, 1998, 90-94
2400. Deposition of K. V. Dey, Cippollone v. Liggett Group, Inc., April 19, 1984, 220; RC 6024572-4572; RC 6024574-4574
2401. Deposition of K. V. Dey, Cippollone v. Liggett Group, Inc., April 19, 1984, 166-169; Deposition of John Bowen Ross, State of Washington v. American Tobacco Co., October

- 22, 1998, 31-33
2402. Deposition of K. V. Dey, Cippollone v. Liggett Group, Inc., April 19, 1984, 172-176, 192-195, 313-314; Deposition of James Mold, Cipollone v. Liggett Group, Inc., November 25, 1985, 30
2403. 52400 7145-7151 at 7148-7149; Trial testimony of Lawrence Meyer, State of Washington v. American Tobacco Co., November 10, 1988, 5511-5518, 5540-5541
2404. Trial testimony of Lawrence Meyer, State of Washington v. American Tobacco Co., November 10, 1988, 5519-5526; Deposition of John Bowen Ross, State of Washington v. American Tobacco Co., October 22, 1998, 82-86
2405. Trial testimony of Lawrence Meyer, State of Washington v. American Tobacco Co., November 10, 1988, 5538-5540
2406. Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 30; Deposition of John Bunch, United States v. Philip Morris, May 22, 2002, 82-83, 116-117; Deposition of Robert Bereman, United States v. Philip Morris, April 23, 2002, 17-19
2407. Deposition of Robert Bereman, United States v. Philip Morris, April 23, 2002, 64-65, 73-77, 164-165
2408. Deposition of Edward Horrigan, United States v. Philip Morris, October 25, 2001, 70-71
2409. Deposition of Ronald Fulford, United States v. Philip Morris, May 22, 2002, 118-122; LDOJ2620361-0363
2410. Deposition of John Woods, United States v. Philip Morris, June 26, 2002, 36-37
2412. 107468730-8764
2413. 107468730-8764 at 8735
2414. 107468730-8764 at 8741-8744, 8750-8754
2415. 689033412-3412
2416. 100051934-1948
2418. 680273641-3643
2419. 500013993-3998

2420. TI 000463-0466
2422. TIMN 0105567-5568; 700743976-3996 at 3990
2423. 100335808-5815; 519962090-2544 at 2195; 2046754905-4909 at 4908
2424. Expert Report of Jeffrey Harris, M.D., Ph.D. (November 15, 2001) in United States v. Philip Morris; 100335808-5816
2425. 100335811-5812
2426. 30183661-3662; 110415667-5669; 301121935-1936
2427. 301121911-1917 at 1917
2428. 201035126-5126
2429. 301121905-1906 at 1906
2430. 110415559-5560
2431. 110415482-5485
2432. 301121057-1086
2433. 110080519-0519; 107623976-3976
2434. 105534272-4285 at 4276, 4279, 4283; 301099890-9890
2435. 110078145-8145
2436. 107623972-3972
2437. 107623970-3970; 107623969-3969; 107623968-3968; 107623967-3967
2438. 680275726-5527 at 5726
2440. Deposition of Scott Appleton, United States v. Philip Morris, June 7, 2001, 266-271;
Deposition of Hugh Honeycutt, United States v. Philip Morris, April 23, 2002, 174-176
2442. 680701034-1038 at 1034

2443. Deposition of Jeffrey Wigand, State of Mississippi Tobacco Litigation, November 29, 1995
2444. Deposition of Jeffrey Wigand, State of Mississippi Tobacco Litigation, November 29, 1995
2445. Deposition of Jeffrey Wigand, State of Mississippi Tobacco Litigation, November 29, 1995
2446. 52400 7145-7151
2447. Expert Report of Jeffrey Harris, M.D., Ph.D. (November 15, 2001) in United States v. Philip Morris
2448. 95539816-3948
2449. Deposition of Christopher Coggins, United States v. Philip Morris, June 27, 2002, 144-147, 159-166
2450. 01244504-4504
2452. Deposition of Christopher Coggins, United States v. Philip Morris, June 27, 2002, 32-35, 121-125, 126-132, 138-139
2453. Deposition of Christopher Coggins, United States v. Philip Morris, June 27, 2002, 27-29
2454. Deposition of Christopher Coggins, United States v. Philip Morris, June 27, 2002, 24
2455. Deposition of Christopher Coggins, United States v. Philip Morris, June 27, 2002, 32-35
2456. 01417692-7714

V

**THE DEFENDANTS CAUSED THE CHARGED MAILINGS
AND WIRE TRANSMISSIONS IN FURTHERANCE OF
THE SCHEME TO DEFRAUD**

A. The Charged Defendants Caused the Mailings and Wire Transmissions

4. Response of Brown & Williamson Tobacco Corporation to the United States' First Set of Requests for Admission to All Defendants, United States v. Philip Morris, dated April 19, 2002; Philip Morris Incorporated's Responses to Plaintiff's First Requests for Admission to All Defendants, United States v. Philip Morris, dated April 19, 2002; Defendant R.J. Reynolds Tobacco Company's Responses to Plaintiffs First Set of Requests for Admission to All Defendants, United States v. Philip Morris, dated April 19, 2002; Response of Defendant The Tobacco Institute, Inc. to Plaintiff's First Set of Requests for Admission Amended Pursuant to Order# 119, United States v. Philip Morris, dated April 19, 2002
5. Pub. L. No. 102-322 (codified as amended at 18 U.S.C. § 1341 (1994))
6. 18 U.S.C. §§ 1341, 1343; 39 C.F.R. Part 310 and Part 320; 39 U.S.C. § 601 et seq.
9. Deposition of Dale Frazier, United States v. Philip Morris, July 1, 2002, 21:7-21:16; Deposition of Becky Wright, United States v. Philip Morris, June 27, 2002, 18:20-19:19; Deposition of John Long, United States v. Philip Morris, June 25, 2002, 22:16-23:02; Deposition of Gwendoline B. Joyner, United States v. Philip Morris, June 28, 2002, 19:09-21:13, 24:21-25:18; Deposition of William Adams, United States v. Philip Morris, June 19, 2002, 440:05-441:11
10. 2043724074-4074
11. 680204115-4117; 680248768-8769; 2000512794-2795; 680585135-5135; 680584974-4985; 680585231-5330; 680583674-3674; 103498901-8902; 521016787-8788
13. 689033421-3421; 508293416-3416; 1002605545-5564; 680273641-3643; 504331775-1776; 301030943-0944; IRA0011429-1431; IRA0011433-1434; IRA0011510-1513; IRA0011515-1516; IRA0011518-1556; 2029200293-0294; 450010016-0016; IRA0011575-1458; 690149518-9531 at 9520; 507834616-4616; 86067870-7871; <http://www.lorillard.net/corp.html>; http://www.brownandwilliamson.com/Index_sub2.cfm?ID=12; <http://www.philipmorrisusa.com/DisplayPageWithTopic917.asp>; http://www.rjrt.com/IN/COHowWeThink_smokinghealth.asp; 86067870-7871

14. Deposition of William Adams, United States v. Philip Morris, June 19, 2002, 448:02-448:11, 454:19-455:01, 479:20-480:04; Deposition of Harmon McAllister, United States v. Philip Morris, May 24, 2002, 65:11-66:19, 67:07-67:18; Deposition of Becky Wright, United States v. Philip Morris, June 27, 2002, 14:11-14:25;
15. 11313243-3244; TIMN0127723-7724; TIMN0098597-8598; TIMN0118245-8246; TPRE0000159-0162; 2015059690-9697; 1005154472-4479; 1005083882-3886; 521030439-0441; 1005118752-8753; 521029790-9790; 1002325026-5026; 1002325022-5022; 2015047161-7163; 507876416-6417; 507731656-1656; 507875961-5962; 2015006928-6929; 521100179-0080; 512678470-8473, IRA0011317-1320; MNAT00280070-0070; 2025345360-5362; 500015901-5905
16. TIMN0110091-0091; TIMN0127723-7724; TIMN0098597-8598; TIMN0118245-8246; TPRE0000159-0162; TPRE0000162-0163; TIMN462375-2380; 680264942-4943; TIMN0100637-0637; TIMN0120574-0575; TIMN0100469-0470; TIMN0120596-0597; TPRE0000371-0377; TIMN0120638-0639; 680263421-3422; TIFL0522279-2280; TIMN0074006-4006; TIMN0133740-3798; TIMN0102493-2498; TNWL0019638-9640; TIFL0540854-0854; TIMN0125189-5189; TIMN0020530-0531; TIMN0015615-5617; TIMN0019059-1060; MNAT00280070-0070; 2025345360-5362; 690149518-9531 at 9520; TIMN0019963-9963; TIMN0125189-5189
17. TIMN0040888-0888; 11313243-3244; TIMN0110091-0091; TIMN0127723-7724; TIMN0098597-8598; TIMN0118245-8246; 508775085-5086; TPRE0000159-0162; TPRE0000162-0163; TIMN462375-2380; 680264942-4943; TIMN0100637-0637; TIMN0120574-0575; TIMN0100469-0470; TIMN0120596-0597; TPRE0000371-0377; TIMN0120638-0639; 680263421-3422; 500713769-3769; 03061394-1394; 500713420-3420; TIFL0522279-2280; TIMN0074006-4006; TIMN0133740-3798; 1002325026-5026; 1002325022-5022; TIMN0102493-2498; TNWL0019638-9640; 505302573-2573; 513943434-3434; 507731656-1656; 509131846-1847; TIFL0540854-0854; TIMN0125189-5189; 509131376-1378; 506876716-6718; TIMN0020530-0531; TIMN0019059-1060; 509131534-1534; 2500050140-0141; IRA0011360-1360; IRA0011362-1364; 1002605545-5564; IRA0011429-1431; IRA0011433-1434; IRA0011510-1513; IRA0011515-1516; IRA0011518-1556; MNAT00280070-0070; 2025345360-5362; 500015901-5905; 690149518-9531 at 9520; TIMN0019963-9963; TIMN0125189-5189; 98402850-2851; 98402886-2888; 86067870-7871; 86067879-7879; 524649701-9712; 517509202-9211; 98163138-3138; 98173405-3405; 98173406-3406; 86067870-7871; 86067879-7879
18. TIMN0040888-0888
19. Order #54, United States v. Philip Morris, filed April 20, 2001

B. The 148 Alleged Racketeering Acts Were Undertaken for the Purpose of Executing the Scheme to Defraud

1. TIMN0040888-0888; The New York Times, January 4, 1954
2. 11313243-3244; Pittsburgh Press, July 16, 1957 (UP article)
3. TIMN0110091-0091
4. 501113723-3730
5. TIMN0127723-7724; New York Journal-American, July 7, 1961; Ft. Lauderdale News, July 7, 1961
6. TIMN0098597-8598; The Wall Street Journal, July 10, 1963; The Washington Post, July 10, 1963; AP article published July 10, 1963 in Times-Union, Humboldt Times, Tribune, Express, and Call
7. TIMN0118245-8246; AP article published November 3, 1963 in News and Observer, Durham Morning Herald, Journal & Sentinel
8. 508775085-5086; CTRMN010781-0783; The New York Times, March 11, 1964
9. 01124436-4437
10. TPRE0000159-0162; AP article published December 29, 1965 in Easton Express and The Baltimore Sun; AP article published December 30, 1965 in Cincinnati Inquirer
11. 680204115-4117
12. TPRE0000162-0163; The New York Times, October 22, 1966
13. 2015059690-9697
14. 1005154472-4479
15. 1005083882-3886
16. 1005084784-4786
17. 1005084799-4800
18. TIMN462375-2380; 85872281-2281; 2017002404-2404; 2017002407-2407; 85872282-

2282; 2017002410-2410; TITX0000183-0183; 85872283-2283; 85872284-2286;
TIMN0123336-3336; TIMN462646-2646

19. 1000321560-1560
20. 1001807341-7343
21. 680264942-4943; The Wall Street Journal, May 1, 1970
22. CTRSP-FILES00981-0981
23. TIMN0100637-0637; The New York Times, December 1, 1970; The Washington Post,
December 1, 1970
24. TIMN0120574-0575
25. 503654893-4894
26. 2015023268-3268
27. TIMN0100469-0470
28. 1000299103-9104
29. TIMN0120596-0597
30. 680248768-8769
31. 521030439-0441
32. 521030438-0438
33. TPRES0000371-0377, TIOK0000740-0746; The New York Times, January 11, 1974
34. TIMN0120638-0639
35. 680263421-3422
36. 500713769-3769
37. 03061394-1394
38. 1005118752-8753

39. 500713420-3420; The New York Times, December 14, 1976
40. 1005118751-8751
41. 2000512794-2795
42. TIFL0522279-2280
43. TIMN0074006-4006
44. 521029790-9790
45. 521029789-9789
46. TIMN0133740-3798
47. 1002325026-5026; The New York Times Magazine, July 29, 1979
48. 1002325022-5022; The New York Times Magazine, April 22, 1979
49. TIMN0102493-2498
50. 680585135-5135
51. 680584974-4985
52. 521029995-9995
53. 660913609-3633
54. 680585743-5743
55. 680585231-5330
56. TNWL0019638-9640
57. 680583674-3674
58. 1005059920-9920
59. 201080394-0395
60. 103498901-8902

61. 505302573-2573; Time, April 9, 1984
62. 505465919-5919
63. 521016787-6788
64. 513943434-3434; The New York Times Magazine, February 5, 1984
65. 5014100136-0136
66. 2015047161-7163
67. 507876416-6417
68. 507876414-6414
69. 2025819186-9186
70. 507731656-1656
71. 2048920161-0161
72. 2077541354-1354
73. 507875961-5962
74. 2043724074-4075
75. 2043724074-4075
76. 509131846-1847
77. 2015006928-6929
78. 2015006925-6925
79. TIFL0540854-0854; The New York Times, May 17, 1988
80. 2015006923-6923
81. TIMN0125189-5189
82. 515792869-2869

83. 509131376-1378
84. 506876716-6718; Omni, May 1989
85. 682730197-0315 at 0296
86. 515796367-6367
87. TIMN0020530-0531
88. 521100179-0180
89. 507706384-6384
90. ATX300004098-4098
91. TIMN0015615-5617
92. 2023235511-5512
93. TIMN0019059-9060
94. 515011420-1422
95. 2023230770-0770
96. 512024008-4011
97. 509131534-1534
98. 512678470-8473, IRA0011317-1320
99. 513601091-1091
100. 2500050140-0141
101. IRA0011360-1360; The Wall Street Journal, October 31, 1996
102. IRA0011362-1364
103. 689033421-3421
104. 508293416-3416

105. 1002605545-5564
106. 680273641-3643
107. 504331775-1776
108. 301030943-0944
109. IRA0011429-1431
110. IRA0011433-1434
111. IRA0011510-1513
112. IRA0011515-1516
113. IRA0011518-1556
114. 2029200293-0294
115. 450010016-0016
116. IRA0011575-1596
117. MNAT00280070-0070
118. 2025345360-5362; The New York Times, April 28, 1964; The Wall Street Journal, April 28, 1964; AP article published on April 28, 1964 in Chicago Tribune and Chicago Daily News
119. ATX030213458-3461
120. 500015901-5905
121. 500487414-7416
122. 501721136-1136
123. CTRSP-FILES011785-1785
124. 660041050-1051
125. 660008957-8957

126. 1003058023-8024
127. 660008960-08961
128. 503579240-9244
129. 675048039-8042
130. 690149518-9531 at 9520
131. 2041598387-8387
132. TIMN0019963-9963
133. TIMN0125189-5189
134. 507834616-4616
135. 98402850-2851
136. 98402886-2888
137. 86067870-7871
138. 86067879-7879
139. 524649701-9712
140. 517509202-9211
141. 98163138-3138; 98173405-3405; 98173406-3406
143. <http://www.lorillard.net/corp.html>
144. http://www.brownandwilliamson.com/Index_sub2.cfm?ID=12
145. <http://www.philipmorrisusa.com/DisplayPageWithTopic917.asp>
146. http://www.rjrt.com/IN/COHowWeThink_smokinghealth.asp
147. 86067870-7871
148. 86067879-7879

VIII

THE UNITED STATES ESTABLISHED THAT THERE IS A REASONABLE LIKELIHOOD THAT THE DEFENDANTS WILL VIOLATE THE LAW IN THE FUTURE

7. http://www.pmus.com/about_us/mission_values.asp
8. http://www.bat.com/oneweb/sites/uk__3mnfen.nsf/vwPagesWebLive/C83FBD4911F1636280256BF4000331B8?opendocument
10. State by Humphrey v. Philip Morris Inc., No. C1-94-8565, 1998 WL 257214, at *9 (Minn. Dist. Ct. Mar. 7, 1998), mandamus denied sub nom., State by Humphrey v. Philip Morris, Inc., No. CX-98-414 (Minn. App. Mar. 17, 1998), petitions for further review denied sub nom., State v. Philip Morris Inc., Nos. CX-98-414, CX-98-431, 1998 WL 154543 (Minn. Mar. 27, 1998), stay denied, 523 U.S. 1056 (1998) (emphasis added)
11. State of Florida v. American Tobacco Co., Civ. Action No. CL 95-1466 AH (Palm Beach Cty., Fla., filed Feb. 21, 1995)
12. State of Minnesota v. Philip Morris, No. C1-94-8565 (Minn. Dist. Ct. Dec. 30, 1997)
13. State of Washington v. American Tobacco Co., No. 96-2-15056-8 SEA (King Cty. Sup. Ct. 1998)
14. Sackman v. Liggett Group, Inc., 173 F.R.D. 358, 362-364 (E.D.N.Y. 1997)
15. Burton v. R.J. Reynolds Tobacco Co., 167 F.R.D. 134, 142 (D. Kan. 1996); Burton v. R.J. Reynolds Tobacco Co., 170 F.R.D. 481, 490 (D. Kan. 1997)
16. Carter v. Brown & Williamson Tobacco Corporation, Case No. 95-00934 CA (Duval Cty. Cir. Ct., Fla., Transcript July 26, 1996 pp. 1329-1332)
17. Haines v. Liggett Group, Inc., 140 F.R.D. 681, 684-689, 695 (D.N.J. 1992), vacated on procedural grounds, 975 F.2d 81 (3d Cir. 1992)
19. 450180143; Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris, at 1-6; Trial testimony of Geoffrey Bible, State of Minnesota v. Philip Morris, No. C1-94-8565 (Minn. Dist. Ct.), March 2, 1998, 5737:6-5738:15; Bill Dedham, "Executive Says He's Uncertain about Tobacco's Harm." New York Times March 3, 1998: A16; Deposition of Denise Keane, United States v. Philip Morris, October 1, 2002, 198:3-15, 224:8, 226:23, 228:8-15, 264:17, 266:9

20. Defendant R.J. Reynolds Tobacco Company's Responses to Plaintiff United States' First Set of Interrogatories, United States v. Philip Morris (served February 6, 2001); Defendant R.J. Reynolds Tobacco Company's Responses to Plaintiff's First Set of Requests for Admission to All Defendants, United States v. Philip Morris (served April 19, 2002); Defendant Lorillard Tobacco Company's Responses to United States' First Set of Interrogatories to Defendants, United States v. Philip Morris (served February 6, 2001); Defendant Lorillard Tobacco Company's Responses to the United States' First Set of Requests for Admission to All Defendants, Amended Pursuant to Order #119, United States v. Philip Morris (served April 19, 2002); Objections and Responses of Defendant British American Tobacco (Investments) Limited to Plaintiff United States' First Set of Interrogatories to Defendants, United States v. Philip Morris (served February 6, 2001); Brown & Williamson Tobacco Corporation's Responses to United States' First Set of Interrogatories to Defendants, United States v. Philip Morris (served February 6, 2001)
21. Deposition of Denise Keane, United States v. Philip Morris, October 1, 2002, 19:10-21:13
23. Deposition of Scott Appleton, United States v. Philip Morris, October 17, 2002, 42:13-45:15 and 51:14-52:24; 2060566164-6165; 2502140306-0316; 2502159515-9516; 2063594510-4526; 86205377-5377; 86205378-5378; 86205422-5422
24. Deposition of Robert Bereman, United States v. Philip Morris, April 23, 2002, 28:15-29:5; Deposition of Bennet LeBow, United States v. Philip Morris, June 21, 2002, 93:20-94:15
25. Defendant Philip Morris Incorporated's Responses to Plaintiff's Specific Interrogatories to Defendants Philip Morris, Inc. and Philip Morris Companies, Inc., United States v. Philip Morris (served March 15, 2002); Defendant Philip Morris Incorporated's Responses to Plaintiff's First Requests for Admission to All Defendants, United States v. Philip Morris (served April 19, 2002); Response of Brown & Williamson Tobacco Corporation to the United States' First Set of Requests for Admission to All Defendants, United States v. Philip Morris (served April 19, 2002); Response of Brown & Williamson to Plaintiff's Specific Interrogatories to Defendants Brown & Williamson Tobacco Corporation, The American Tobacco Company, and British American Tobacco (Investments) Limited, United States v. Philip Morris (served March 15, 2002); Responses and Objections of British American Tobacco (Investments) Limited to Plaintiff's First Requests for Admission to All Defendants, Amended Pursuant to Order #119, United States v. Philip Morris (served April 19, 2002); Defendant Lorillard Tobacco Company's Responses to the United States' First Set of Requests for Admission to All Defendants, Amended Pursuant to Order #119, United States v. Philip Morris (served April 19, 2002); Defendant R.J. Reynolds Tobacco Company's Responses to Plaintiff's First Set of Requests for Admission to All Defendants, United States v. Philip Morris (served April 19, 2002)

26. Deposition of Michael Watkins, United States v. Philip Morris, May 8, 2002
28. http://www.pmusa.com/health_issues/addiction.asp (as of January 8, 2003)
29. Philip Morris Incorporated's First Supplemental Responses to Plaintiff's First Requests for Admission to All Defendants, United States v. Philip Morris (served January 6, 2003); Philip Morris Incorporated's Second Supplemental Response to Plaintiff's Specific Interrogatories to Defendants Philip Morris, Inc., United States v. Philip Morris (served January 6, 2003)
30. http://www.bat.com/oneweb/sites/uk__3mnfen.nsf/vwPagesWebLive/BEDB4BB1FDD4F7CE80256BF400033157?opendocument (as of January 8, 2003)
31. <http://www.rjrt.com/TI/TIquiting.asp> (as of January 8, 2003)
32. http://www.brownandwilliamson.com/Index_sub2.cfm?ID=1 (as of January 8, 2003)
36. http://www.rjrt.com/TI/TITar_Nic_Summary.asp (as of December 19, 2002)
37. http://www.brownandwilliamson.com/Index_sub2.cfm?ID=1 (as of December 19, 2002)
38. Deposition of Hector Alonso, United States v. Philip Morris, June 21, 2002, 51:6-9
39. Deposition of Lonnie Joe Inman, United States v. Philip Morris, May 23, 2002, 39
42. 2500121308-1353 at 1318-1320
43. Trial testimony of Geoffrey C. Bible, State of Minnesota v. Philip Morris, No. C1-94-8565 (Minn. Dist. Ct.), March 4, 1998, 6167:9-10
44. 2078296160-6161
45. <http://www.philipmorrisusa.com/DisplayPageWithTopicd59b.asp>;
<http://www.philipmorrisusa.com/DisplayPageWithTopicc917.asp>;
<http://www.philipmorrisusa.com/DisplayPageWithTopicd8880.asp>
46. 2078016400-6452 at 6435
47. http://www.pmusa.com/responsible_marketing/default.asp
48. Deposition of Steven C. Watson, United States v. Philip Morris, April 2, 2002, 190:5-191:6

49. <http://www.lorillard.net/corp.html>
50. http://www.bat.com/oneweb/sites/uk__3mnfen.nsf/vwPagesWebLive/C83FBD4911F1636280256BF4000331B8?opendocument
51. 283202743-2744
52. <http://www.brownandwilliamson.com>
53. <http://www.brownandwilliamson.com>
54. http://www.bat.com/oneweb/sites/uk__3mnfen.nsf/vwPagesWebLive/C83FBD4911F1636280256BF4000331B8?opendocument
55. Deposition of Mark Smith, United States v. Philip Morris, June 25, 2002, 59:5-16; 525022464-2464
56. http://www.brownandwilliamson.com/Index_sub2.cfm?ID=12 (E-Chat Transcript of Corky Newton, December 8, 1999) at p. 1, 4
57. Trial testimony of Lynn J. Beasley, State of Minnesota v. Philip Morris, No. C1-94-8565 (Minn. Dist. Ct.), April 20, 1998, at 12861
58. http://www.rjrt.com/IN/COHowWeThink_smokinghealth.asp
59. <http://www.rjrt.com/TI/TIYouthSmokingFACTS.asp>
61. 2021183859-3862; 2040171445-1455
62. Expert Report of Michael Eriksen, Ph.D. in United States v. Philip Morris
63. 2073056243-6263; Deposition of Nancy Lund, United States v. Philip Morris, June 27, 2002, 195:23-196:13
64. Trial testimony of Bennett S. LeBow, Howard A. Engle v. R.J. Reynolds Tobacco Co., 94-08273, June 22, 2002, at 55408; Testimony of Bennett S. LeBow, State of Minnesota v. Philip Morris Inc., C1-94-8565, September 29, 1997, at 69, 100
65. Answer of The Liggett Group, Inc. Group, Inc. to Plaintiff's Complaint For Damages and Injunctive and Declaratory Relief, United States v. Philip Morris (served November 2, 2000); Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 95:10-96:11

66. Deposition of James Taylor, United States v. Philip Morris, June 14, 2002, 99:22-102:3
68. Deposition of George Telford, United States v. Philip Morris, June 26, 2002, 102:3-7
69. Deposition of Victor Lindsley, United States v. Philip Morris, May 5, 2002, 113:8-15, 115:7-116:3
70. Deposition of George Telford, United States v. Philip Morris, June 26, 2002, 59:22-61:9 and 64:3
72. Deposition of Sharon Smith, United States v. Philip Morris, February 28, 2002, 16:19-17:19, 25:11-13, 43:2-25, 59:6-9, 80:17-22
73. 844002432-2437 at 2432, 2434 and 2437
75. Deposition of Mark Smith, United States v. Philip Morris, June 25, 2002, 68:4-70:11; <http://www.bw.com/NR/index.cfm?ID=107&Sect=NR>
76. Deposition of Sharon Smith, United States v. Philip Morris, February 22, 2002, 81:1-82:11, 176:4-16; 680116947-6968
78. Deposition of Andrew Schindler, United States v. Philip Morris, June 12, 2002, 118:6-11
79. Deposition of Andrew Schindler, United States v. Philip Morris, June 12, 2002, 98, 108-109, 118-120, 305.
80. Deposition of Andrew Schindler, United States v. Philip Morris, June 12, 2002, 98, 106-07; 513180912-0913
81. Deposition of Andrew Schindler, United States v. Philip Morris, June 12, 2002, 99, 100-01, 109-12, 116-18, 220:4-7.
82. Deposition of Edmund Leary; United States v. Philip Morris, May 2, 2002, 45:2-48:1
83. "Youth Targeting By Tobacco Manufacturers Since the Master Settlement Agreement," Paul J. Chung, Craig F. Garfield, et al. 21:2 Health Affairs (March/April 2002)
85. People ex rel. Lockyer v. R.J. Reynolds Tobacco Co., 2002 WL 1292994 (Cal. Superior June 06, 2002)
87. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 26-28, 32-33, 51-52, 81-82; 2085314209-4215

88. 2070748847-8852; Deposition of Steven Parrish, United States v. Philip Morris, June 26, 2002, 339:13-341:10
89. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 85-87, 92-93.
90. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 87-91, 95-96
91. 210210020-0022; 2071238055-8057; Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002, 148:9-150:24
92. Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002, 137:13-18; Deposition of Sharon Smith, United States v. Philip Morris, February 22, 2002, 131:16-133:20, 134:19, 137:24-138:1, 163:7-12, 213:19-214:19; 282300205-0207; 282300241-0241; 282300205-0205
93. Deposition of Sharon Smith, United States v. Philip Morris, February 22, 2002, 148:3-6; Deposition of Claudia Newton United States v. Philip Morris, May 15, 2002, 126:18-127:7, 140:9-14, 147:7-23, 151:23-1513:3; Deposition of Susan Ivey, United States v. Philip Morris, June 20, 2002, 140:2-3; 282250810-0810
94. 96783100-3101; Deposition of Victor Lindsley, United States v. Philip Morris, May 5, 2002, 79:9-81:1
95. Deposition of Victor Lindsley, United States v. Philip Morris, May 5, 2002, 25:5-10
96. Deposition of Victor Lindsley, United States v. Philip Morris, May 5, 2002, 28:19-29:7
97. Deposition of Diane S. Burrows, United States v. Philip Morris, June 27, 2001, 32:7-9; 522694030-4038
99. 517508852-8855
100. Deposition of Patricia Ittermann, United States v. Philip Morris, May 17, 2001, 52:19-25, 53:1-14, 58:20-22
101. Deposition of Patricia Ittermann, United States v. Philip Morris, May 17, 2001, 76:13-21, 97:9-13, 100:24-101:14, 124:7-125:7, 126:19-127:5; 522041457-1460
102. Deposition of John Long, United States v. Philip Morris, May 24, 2002, 11:18-17:19
103. Deposition of Karen Eisen, United States v. Philip Morris, June 20, 2002;

2045596130-6141 at 6133

104. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 107-09, 11-113, 158-59; 2071230813-0871 at 0820-0821; 2071230830-0832; 2071230838-0839; 2071230850-0850; 2071230856-0856; 2071230862-0862; 2071230864-0864; 2080499829-9896 at 9859
105. 2073785602-5662
106. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 111-113; 2071230813-0888
107. Deposition of Shari Teitelbaum, United States v. Philip Morris, April 16, 2002, 77:21-78:25
108. Deposition of Edmund Leary; May 2, 2002, United States v. Philip Morris, 60:25-62:23
109. Deposition of Victor Lindsley, United States v. Philip Morris, May 5, 2002, 115:7-116:3
110. Deposition of Brennan Dawson, United States v. Philip Morris, July 1, 2002, 73:9-25
111. Expert Report of Frank J. Chaloupka, Ph.D. in United States v. Philip Morris
112. Expert Report of Frank J. Chaloupka, Ph.D. in United States v. Philip Morris; 2048486666; 2060295219-5220; 506767411-7417; 501928462-8550; 505727418-7431
113. "Report to Congress Pursuant to the Federal Cigarette and Labeling Act," Federal Trade Commission (2001)
114. "Report to Congress Pursuant to the Federal Cigarette and Labeling Act," Federal Trade Commission (2001)
115. "Report to Congress Pursuant to the Federal Cigarette and Labeling Act," Federal Trade Commission (2001); Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
118. "Report to Congress Pursuant to the Federal Cigarette and Labeling Act," Federal Trade Commission (2001); TIMN378037-8074
119. Deposition of Carolyn Levy United States v. Philip Morris, April 26, 2002, 545-546
120. Deposition of Robert Mikulay United States v. Philip Morris, July 1, 2002, 145:13-146:19

121. Deposition of Geoffrey Bible, United States v. Philip Morris, August 22, 2002, 245:8-21
122. Deposition of Mark Kovatch, United States v. Philip Morris, June 5, 2002, 8:7-14, 29:15-30:2, 73:19-25
123. Deposition of Victor Lindsley, United States v. Philip Morris, May 5, 2002, 23:21-24:3
124. Deposition of Edmund Leary; United States v. Philip Morris, May 2, 2002, 16: 4-17:19, 25:7-27:15, 63:3-64:17
125. Deposition of Steven Shipe, United States v. Philip Morris, May 21, 2002, 86:22-87:14
126. 2085296400-6461; Deposition of Michael Mahan, United States v. Philip Morris, May 31, 2002, 146-156
130. Expert Report of Frank J. Chaloupka, Ph.D. in United States v. Philip Morris
131. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris
132. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris
133. Expert Report of Robert Dolan, Ph.D. in United States v. Philip Morris
135. Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 24-26; 2021183859-3862
136. 2021183859-3862 at 3859-3860
137. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
138. 2070557699-7702; TI09930511-0517; Deposition of Richard Camisa, United States v. Philip Morris, June 28, 2002, 24-26, 35-39, 41-49, 62-71
139. Deposition of Robert Mikulay, United States v. Philip Morris, July 1, 2002, 74:11-78:16, 86:6-91:10, 99:5-103:18
140. Deposition of Edmund Leary, United States v. Philip Morris, May 2, 2002, 64:18-65:21
141. Deposition of Victor Lindsley, United States v. Philip Morris, May 5, 2002, 34:19-38:7
142. Deposition of Claudia Newton, United States v. Philip Morris, April 17, 2002, 11:10-12:4, 61:5-12, 62:20-64:7; Deposition of Claudia Newton, United States v. Philip Morris, May 15, 2002 42:16-22, 43:11-13, 73:6-11

144. Deposition of Denise Keane, United States v. Philip Morris, October 2, 2002, 101:23-103:24, 128:13-129:12, 162:21-163:8; Deposition of Shari Teitelbaum United States v. Philip Morris, April 16, 2002, 132:21-141:57; 2044905001-5007
145. Deposition of Denise Keane, United States v. Philip Morris, October 2, 2002, 104:19-105:6
146. Deposition of Susan Ivey, United States v. Philip Morris, June 2, 2002, 67:3-19, 92:10, 129:23-130:16
147. Deposition of Harold J. Petch, United States v. Philip Morris, October 12, 2001, 83:10-85:25, 128:1-7
148. Deposition of Robert D. Bereman, United States v. Philip Morris, April 29, 2002, 52:24-54:12; Deposition of Ron Berstein, United States v. Philip Morris, June 25, 2002, 32:20-33:22, 36:25-37:25
149. Deposition of James Taylor, United States v. Philip Morris, June 14, 2002, 52:2-24, 91:23-92:6
150. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
151. Deposition of Mark Smith, United States v. Philip Morris, June 25, 2002, 76:3-6; 531100014-0014; Deposition of Susan Ivey, United States v. Philip Morris, June 2, 2002, 24:10-12
152. 324534670-4670; 324534684-4685
153. 324534670-4670; 324534684-4685
154. <http://www.omnicigs.com/prodBenLetter.asp>
155. Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 35:21-42:21, 45:13-47:20, 48:11-25
159. LB0037746-7746
162. 530092077-2088
165. Deposition of Ronald Fulford, United States v. Philip Morris, May 22, 2002, 118-122
166. Deposition of John Woods, United States v. Philip Morris, June 26, 2002, 36-37; Deposition of Bennett LeBow, United States v. Philip Morris, June 21, 2002, 16-17

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DISGORGEMENT

3. Expert Report of Robert J. Dolan, Ph.D. in United States v. Philip Morris
4. Expert Report of Frank Chaloupka, Ph.D. in United States v. Philip Morris; Expert Report of Robert J. Dolan, Ph.D. in United States v. Philip Morris
5. "Report to Congress Pursuant to the Federal Cigarette and Labeling Act," FTC (2002)
6. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
7. "The Extent of Cigarette Brand and Company Switching: Results from the Adult-Use-of-Tobacco Survey," M. Siegel, et al., 12 Am. J. of Preventive Medicine 14-16 (1996); 507852904-2970 at 2906
8. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris; Expert Report of Jonathan Gruber, Ph.D., November 15, 2001 in United States v. Philip Morris
9. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
10. Expert Report of Michael Eriksen, Ph.D. in United States v. Philip Morris
11. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris; Expert Report of Anthony Biglan, Ph.D., November 15, 2001 in United States v. Philip Morris
12. Expert Report of Paul Slovic, Ph.D. in United States v. Philip Morris
13. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
14. Expert Report of Paul Slovic, Ph.D. in United States v. Philip Morris
15. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
16. www.harrisinteractive.com/harris_poll/index.asp?PID=350
17. Expert Report of Paul Slovic, Ph.D. in United States v. Philip Morris
20. Expert Report of Neal Benowitz, M.D. in United States v. Philip Morris
21. Expert Report of Robert J. Dolan, Ph.D. in United States v. Philip Morris

22. Expert Report of Robert J. Dolan, Ph.D. in United States v. Philip Morris
24. Expert Report of Frank Chaloupka, Ph.D. in United States v. Philip Morris
25. 2022216179-6180; 2024252441-2562 at 2441
26. Expert Report of Frank Chaloupka, Ph.D. in United States v. Philip Morris
27. Expert Report of Frank Chaloupka, Ph.D. in United States v. Philip Morris
28. Expert Report of Jeffrey Harris, M.D., Ph.D., November 15, 2001, Report #1 in United States v. Philip Morris
29. Expert Report of Anthony Biglan, Ph.D., November 15, 2001 in United States v. Philip Morris
31. 2021593776-3779
32. 1005038559-8559
34. 1000338644-8671;100503495-3505; 400459986-9995; 500915683-5961 at 5684
35. Expert Report of Jack E. Henningfield, Ph.D. in United States v. Philip Morris
36. 100427930-7930; 689033184-3186 at 3184
37. 650340129-0193 at 0151
38. 512000002-0005
39. 100006864-6868 at 6864
40. 680113760-3763 at 3762
41. 2028817401-7576 at 7506; 80634635-4642 at 4639; 670001750-1766 at 1753
42. 514110006-0009 at 0008
43. 2021502102-2134 at 2108-2113; 2021502135-2142 at 2135
45. "The American Cigarette Industry: A study in Economic Analysis and Public Policy," Richard B. Tennant, at 137 [quoting Trial Proceedings in United States v. American Tobacco Co., Tr. 9100 (W.D. Ky. 1941)] (1950)

46. 100068038-8042 at 8038
47. 670170921-0935 at 0926
48. 109870521-0561 at 0536
49. 501928462-8550 at 8471
50. 501421310-1335 at 1311
51. 779217794-7833 at 7827
52. 03537131-7132
53. 1003285497-5502 at 5497
54. 2043828174-8176
55. 670186789-6824 at 6811-6815
56. 502987357-7368 at 7663
57. 505775556-5598 at 5557
58. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris; 507127239-7259 at 7241; 507178202-8205 at 8203
59. 507181261
60. 502033156-3157; 507555896-5909 at 5909
61. 515603998-4000 at 3998
62. 2045060177-0203 at 0180
63. 582302425-2436 at 2426
64. 514200832-0889
66. Expert Report of Dean Krugman, Ph.D. in United States v. Philip Morris
67. 2028817401-7576 at 7504

68. 507511965-1967 at 1965
70. Joseph F. Cullman III, State of Minnesota v. Philip Morris Inc., C1-94-8565, June 11, 1997 at 88-89
71. Alexander W. Spears III, State of Minnesota v. Philip Morris Inc., C1-94-8565, September 25, 1997 at 559
72. Walker P. Merryman, State of Minnesota v. Philip Morris Inc., C1-94-8565, July 15, 1997 at 110-111
73. 85875738-5743 at 5743
74. MNAT00724279-4280 at 4279
75. 105562110-2189 at 2125
76. 502458984-9004 at 8994
77. 680113760-3763 at 3762; 680082943-3125 at 2960
78. 2028817401-7576 at 7506
79. 80634635-4642 at 4639
80. 81568693-8728 at 8702; 80634635-4642 at 4639
81. 01124257-4265 at 4259
82. 2040066740-6766
83. 775036039-6067 at 6047; 670001750-1766 at 1753; 109883112-3117 at 3115
84. 109883101-3103 at 3102
85. 84053709-3743 at 3718; 109883112-3117 at 3115
86. 566628004-8083 at 8015
87. 507490339-0354 at 0342
88. 1003285497-5502 at 5497; 2043828174-8176 at 8174

89. 03537131-7132
90. 01110993-1032 at 1030
91. 1002646151-6185 at 6155-6157
92. 1003285497-5502 at 5497
93. 2021593776-3779 at 3776
94. Eric Gesell, State of Minnesota v. Philip Morris Inc., C1-94-8565, September 18, 1997 at 22
95. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris
96. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris
97. Expert Report of Jonathan Gruber, Ph.D., November 15, 2001 in United States v. Philip Morris
99. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris; Jonathan Gruber, Ph.D., November 15, 2001 in United States v. Philip Morris
100. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris; Jonathan Gruber, Ph.D., November 15, 2001 in United States v. Philip Morris
101. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris; Expert Report of Jonathan Gruber, Ph.D., November 15, 2001 in United States v. Philip Morris
102. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris; Expert Report of Jonathan Gruber, Ph.D., November 15, 2001 in United States v. Philip Morris
103. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris; Expert Report of Jonathan Gruber, Ph.D., November 15, 2001 in United States v. Philip Morris
104. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in

- United States v. Philip Morris; Expert Report of Jonathan Gruber, Ph.D., November 15, 2001 in United States v. Philip Morris
105. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris; Expert Report of Jonathan Gruber, Ph.D., November 15, 2001 in United States v. Philip Morris
 106. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris; Expert Report of Jonathan Gruber, Ph.D., November 15, 2001 in United States v. Philip Morris
 107. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris
 108. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris
 109. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris
 110. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris
 112. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris
 113. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris
 114. Expert Report of Franklin M. Fisher, Ph.D., November 15, 2001, Proceeds Report in United States v. Philip Morris

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Respectfully submitted,

ROBERT D. McCALLUM, Jr.
Assistant Attorney General

SHARON Y. EUBANKS (DC Bar # 420147)
Director, Tobacco Litigation Team

STEPHEN D. BRODY (DC Bar # 459263)
Deputy Director, Tobacco Litigation Team

RENÉE BROOKER (DC Bar # 430159)
Assistant Director, Tobacco Litigation Team

United States Department of Justice
Post Office Box 14524
Ben Franklin Station
Washington, DC 20044-4524
(202) 616-4185

Attorneys for Plaintiff
United States of America

APPENDIX

**Additional Source Material for the United States' Preliminary Proposed Findings of Fact:
Documents Identified by Defendants' Bates Number**

000001331-1406	1001804656-4659
00039304-9490	1001807341-7343
00044522-4523	100190907-0909
00110371-0371	1002315562-5562
00111111-1130	1002315641-5641
00121909-1926	1002325026-5026
0071763-1772	1003287987-7989
01124436-4437	1003288034-8036
01192040-2040	100328974-8975
01192044-2044	1003293097-3098
01416267-6267	1003293589-3591
01422304-2304	1003294245-4261
01754849-4866	100335894-5918
01771073-1206	1003478193-8196
03028799-8880	1003724353-4387
03061394-1394	100427861-7883
03297149-7151	100431408-1412
03492841-3067	100501581-1708
03535562-5563	100501696-1710
03595414-5415	1005038559-8561
03746184-6185	1005039476-9480
03747024-7205	1005053953-3953
03748208-8208	1005059920-9920
03922854-2854	1005064626-4626
04209323-9326	1005065603-5603
1000036500-6502	1005082691-2691
1000048633-8654	1005083882-3886
1000117458-7467	1005084799-4800
1000128680-8680	1005107379-7379
1000219803-9803	1005111528-1575
1000299103-9104	1005118751-8751
1000321560-1560	1005118752-8753
1000335612-5625	1005132832-2832
1000341400-1414	1005132840-2840
1000342063-2073	1005132841-2841
1000348671-8751	1005132842-2842
1000350158-0188	1005152849-2896
1000350159-0186	1005154422-4435
1000413881-3964	103498901-8902
1001609594-9595	105562110-2189
100175613-5617	107317952-7953

107444871-4871	2024961742-1744
107468159-8160	2024983860-3862
107623972-3972	2025013308-3308
109869437-9440	2025025481-5481
109882674-2679	2025025506-5507
109883112-3117	2025025510-5512
110069816-1989	2025819186-9186
110069863-9866	2025871433-1506
110318156-8157	2026403670-3673
175558-5560	2028436582-6590
2001052715-2718	2028516499-6546
2010007677-7677	2029269056-9126
2010007711-7711	2031436002-6002
2010045520-5526	2040280991-1003
201069744-9744	2043724074-4074
2015002794-2794	2043724074-4075
2015006928-6929	2043793131-3131
2015023268-3268	2043828174-8176
2015031514-1514	2044905001-5007
2015042056-2059	2045592699-2709
2015047161-7163	2046089505-9508
2017002404-2404	2046828693-8697
2017002407-2407	2047348245-8252
2017002410-2410	2048920161-0161
2021173016-3016	2048972933-2933
2021657722-7722	2049397333-7369
2022180219-0219	2050824506-4550
2022200161-0163	2056128345-8379
2022970464-0466	2057769087-9087
2023088294-8294	2060489246-9255
2023088296-8296	2060542715-2743
2023186690-6690A	2062951842-1864
2023235511-5512	2063683072-3077
2023390612-0616	2071032180-2206
2023855852-5970	2071230813-0871
2023856321-6328	2071230830-0832
2023963269-3341	2071230838-0839
2024252441-2562	2071230850-0850
2024545758-5773	2071230856-0856
2024671248-1255	2071230862-0862
2024940049-0049	2071230864-0864
2024950721-0721	2071294004-4005
2024950723-0723	2071294006-4006

2071294089-4090	5000258231-8240
2071578268-8958	50019509-9509
2073056243-6263	500201433-1433
2073785602-5662	500254536-4544
2077541354-1354	500254578-4580
2080310506-0566	500320855-0855
2080310506-0566	500396570-6607
2083131325-1325	500434703-4724
2085298135-8136	500487414-7416
2085314264-4265	500713769-3769
2085314271-4271	500768429-8438
2085629327-9339	500794841-4843
2086131512-1512	500796976-6983
2086131675-1675	500810043-0045
220280849-0849	500944757-4758
250046189-6190	501113723-3730
2501013568-3568	501190133-0134
2501018326-8327	501254267-4283
2501024103-4107	501254289-4301
2501474253-4259	501630269-0288
2502272091-2096	501721136-1136
2504079560-9562	501754849-4866
282250810-0810	501859088-9093
301060827-0855	501941580-1580
301097079-7085	501990307-0307
30308897-8899	502283897-3897
309030164-0164	502303940-3940
321140942-0949	502499420-9420
321141104-1104	502948580-8591
321737520-7529	502987357-7368
321993992-3995	503011402-1403
322043204-3207	503055325-5326
400229127-9148	503074962-4985
400459986-9995	503536932-6932
400729374-9380	503579240-9244
401247331-7336	503655278-5278
401349242-9364	503874245-4247
40190280-0294	504075896-5896
403680929-0930	504100135-0136
450010016-0016	504331775-1776
450180143-0143	504675253-5282
461301164-1167	505302573-2573
500021655-1710	505743421-3421

506100136-0136	514200832-0889
506390907-0907	51472 1726-1729
506647151-7156	514894567-4676
506768775-8783	515011420-1422
506768857-8857	51562 0738-0739
506864599-4601	515622547-2547
506876716-6718	515796367-6367
507028876-8876	516018462-8462
507178202-8205	51685 7946-7946
507241613-1838	516967038-7038
507416662-6669	517142216-2219
507511965-1967	517142220-2222
507525018-5023	517142223-2257
507605620-6239	517201756-1767
507642890-2934	517509202-9211
507707454-7455	517677304-7306
507731656-1656	5180 4224-4255
507731762-1762	518116832-6891
507732293-2293	520601648-1697
507777205-7208	521015579-5582
507834616-4616	521029306-9306
507875674-5674	521029789-9789
507876414-6414	521029790-9790
507876416-6417	521030438-0438
507876979-6979	521030439-0441
507877537-7537	521038287-8291
508038867-8868	521038792-8792
508293416-3416	521100179-0180
508400959-0959	521895557-5559
508775085-5086	521895585-5587
509137485-7485	521896268-2695
509314122-4148	522048075-8076
509321275-1290	522728838-8920
511242032-2045	52453 8474-8474
51146 9116-9116	524649701-9712
51146 9105-9105	5261476929-7161
51180 0168-0169	526310001-0001
51180 0230-0230	526310004 -0004
512102918-2955	526321269-1270
512678470-8473	526321277-1298
513193867-3867	526321304-1310
513601091-1091	526321367-1373
514200832-0886	526321374-1376

526321377-1388	680260940-0942
526321428-1440	680264942-4943
526321761-1763	680500903-1076
531100014-0014	680582454-2460
531100014-0015	680583069-3070
566627937-7946	680583674-3674
566628004-8083	680585135-5135
59834271-4271	680585231-5330
60042239-2257	680585743-5743
60042281-2297	682508295-8295
60042374-2392	682637627-7629
60042406-2423	682730197-0315
60042490-2504	689033421-3421
60042594-2611	689636015-6015
60042788-2795	690003632-3650
60042815-2847	690012994-2994
60042927-2946	690142176-2180
60042970-2977	70000291-0301
60043072-3079	70056065-6076
60043084-3092	70057072-7072
60043093-3104	700805002-5024
60043105-3118	775036039-6067
60043119-3140	779217794-7833
650090856-0856	80412199-2199
650090857-0857	80412203-2203
650090883-0883	80419202-9203
650091314-1314	80642659-2661
650099319-9319	81187531-7552
650200092-0092	81563629-3629
655098268-8268	81568693-8728
660008957-8957	81616516-6520
660110380-0386	81616559-6562
660913609-3633	83499144-9145
666022850-2898	83623323-3347
670307882-7883	84053709-3743
670500617-0620	844002432-2437
670641820-1820	85171343-1343
670666577-6590	85871536-1569
670917650-7741	85872281-2281
675159236-9242	85872282-2282
675159255-9257	85872283-2283
680092632- 2668	85872284-2286
680215434-5435	85875738-5743

86024167-4167	CTRMN004324-4330
86067870-7871	CTRMN004331-4335
86067879-7879	CTRMN004924-4927
89281671-1671	CTRMN004949-4952
89693336-3342	CTRMN004957-4959
89693376-3384	CTRMN004981-4982
89693636-3641	CTRMN004985-4986
89694214-4220	CTRMN005534-5541
89696116-6124	CTRMN007395-7402
92352889-2890	CTRMN007485-7490
92382009-2011	CTRMN010781-0783
92670418-0419	CTRMN039137-9143
92670436-0440	CTRMN041347-1350
93455701-5726	CTRSP-FILES00981-0981
95539816-3948	CTRSP-FILES011785-1785
96522458-2467	HK0039151-9152
96522506-2542	HK1698002-8002
97014099-4099	HT0145314-5316
98163138-3138	HT135161-5164
98173405-3405	IRA0011317-1320
98173406-3406	IRA0011360-1360
98303544-3545	IRA0011362-1364
98402850-2851	IRA0011429-1431
98402886-2888	IRA0011433-1434
99053048-3558	IRA0011510-1513
ATX010277947-7947	IRA0011518-1556
ATX030213458-3461	IRA0011575-1458
ATX040070514-0514	IRA0011575-1596
ATX040070515-0515	LATH00312742-2784
ATX040070516-0516	LB0010879-0909
ATX040070517-0517	LB0044940-4940
ATX040070518-0518	LB0058147-8186
ATX040070519-0519	LDOJ2164744-4746
ATX040181943-1943	LDOJ2233261-3261
ATX040181944-1944	LDOJ2620361-0363
ATX040294056-4056	LG0162781-2785
ATX05007090-7090	LG0203266-3266
ATX050070905-0905	LG0206561-6562
ATX140008085-8087	LG0237151-7159
ATX300000157-0157	LG0262125-2126
ATX300004098-4098	LG0262149-2151
BWBU242341-2343	LG0262152-2153
CTRMN004320-4323	LG0262155-2155

LG2001538-1538	T505217-5218
LG2002520-2524	TB10011183-1185
LG2002533-2533	TFAL0000001-0010
LG2002617-2617	TI05031337-1339
LG2013608-3608	TI1259-2380 to 1259-2389
LG2018123-8123	TI13040345-0424
LG2018124-8126	TI1635-1836
LG2018129-8132	TI1635-2199
LG2018563-8563	TI16351836-1838
LG234157-4157	TI16352199-2432
LIG70262-0263	TICT0009863-9866
LWDOJ00068944-8949	TICT0009867-9870
LWDOJ6135692-5692	TICT0009871-9874
LWDOJ9165472-5472	TICT0009885-9887
LWDOJ9165648-5650	TICT0009888-9895
MNAT00029551-9598	TICT0009896-9903
MNAT00029599-9644	TICT0009904-9910
MNAT00029645-9696	TICT0009911-9918
MNAT00029697-9748	TICT0009919-9925
MNAT00029749-9799	TIFL0522044-2045
MNAT00115492-5492	TIFL052969-9880
MNAT00316683-6684	TIFL0540854-0854
MNAT00316688-6693	TIKU000004159-4194
MNAT00316738-6748	TIKU000006661-6662
MNAT00316810-6811	TIKU000010381-0381
MNAT00399850-9851	TIKU000010772-0773
MNAT00533224-3224	TIMN0000254538-4538
MNAT00533253-3253	TIMN0000466-1111
MNAT00608606-8614	TIMN0000560-0561
MNAT00724279-4280	TIMN0015297-5299
MNAT00740105-0105	TIMN0024039-4040
MNAT00742048-2048	TIMN0029907-9907
MNAT00746229-6229	TIMN0032424-2424
MNAT00881318-1323	TIMN0040888-0888
MNAT00903136-3136	TIMN0057161-7161
RC6024572-4572	TIMN0070244-0244
RC6024574-4574	TIMN0070257-0257
RC6029339-9339	TIMN0070816-0821
RC6030071-0071	TIMN0073990-3992
RC6030441-0441	TIMN0083361-3368
RC6033491-3496	TIMN0100637-0637
T076378-6379	TIMN0102495-2498
T501263-1264	TIMN0104428-4429

TIMN0121003-1007
TIMN0121463-1646
TIMN0122775A-2775A
TIMN0123336-3336
TIMN0123343-3345
TIMN0127723-7724
TIMN013181-3181
TIMN0131860-1861
TIMN194781-4787
TIMN217628-7638
TIMN217628-7639
TIMN253001-3001
TIMN261386-1387
TIMN262974-2975
TIMN277252-7253
TIMN319568-9604
TIMN333363-3363
TIMN341405-1422
TIMN378037-8074
TIMN395428-5429
TIMN462375-2380
TIMN462646-2646
TINY0002578-2578
TIOK0000243-0249
TIOK0000250-0256
TIOK0000257-0265
TIOK0000266-0273
TIOK0000274-0281
TIOK0000290-0297
TIOK0000298-0304
TIOK0000740-0746
TIOK0000978-0980
TIOK000282-0286
TIOK000305-0312
TIOK000313-0320
TIOK000321-0327
TIOK0034800-4803
TITL0003108-3111
TITL0003115-3117
TITL0003363-3375
TITX0000183-0183
TPRE0000159-0162
TPRE0000162-0163

TPRE0000371-0377

Additional Source Material for the United States' Preliminary Proposed Findings of Fact:
Website Sources

<http://www.ftc.gov/reports/cigarettes/1999cigarettereport>
http://www.harrisinteractive.com/harris_poll/index.asp?PID=350
<http://www.library.ucsf.edu/tobacco/batco/html/12700/12706/>
<http://www.OAAA.org/outdoor/>
<http://www.omnicigs.com/prodBenLetter.asp>
<http://www.philipmorrisusa.com>
<http://www.sec.gov/Archives/edgar/data/60086/000006008602000026/septq.txt>
<http://tobaccodocuments.org/atc/60252077.pdf>
<http://tobaccodocuments.org/atc/13232355.html>
<http://tobaccodocuments.org/atc/13255544.html>
<http://tobaccodocuments.org/atc/13254063.html>
http://tobaccodocuments.org/health_canada/30115908.html
http://tobaccodocuments.org/guildford_misc/300504231-4263.html
http://www.tobacco.neu.edu/Extra/hotdocs/simon_answer_ex.htm

**Additional Source Material for the United States' Preliminary Proposed Findings of Fact:
Testimony and Exhibits in:
United States v. Philip Morris, Inc. et al., No. 99-CV-02496**

Farone, William
Oparil, Suzanne
Suber, Robert

**Additional Source Material for the United States' Preliminary Proposed Findings of Fact:
Other Testimony**

Lynn J. Beasley, State of Minnesota v. Philip Morris, No. C1-94-8565 (Minn. Dist. Ct.), April 20, 1998

Geoffrey Bible, State of Minnesota v. Philip Morris, No. C1-94-8565 (Minn. Dist. Ct.), March 2, 1998, March 4, 1998

Geoffrey Bible, State of Florida v. American Tobacco Co., August 21, 1997

Harold Burnley in Miles v. Philip Morris, August 29, 2002

James L. Charles, State of Minnesota v. Philip Morris, No. C1-94-8565, May 14, 1997

Frank Colby, State of Minnesota v. Philip Morris, No. C1-94-8565, December 17, 1997

Joseph F. Cullman III in Cippollone v. Liggett Group, Inc., February 23, 1988

Joseph F. Cullman III, State of Minnesota v. Philip Morris Inc., C1-94-8565, June 11, 1997

K.V. Dey in Cippollone v. Liggett Group, Inc., April 19, 1984

Eric Gesell, State of Minnesota v. Philip Morris Inc., C1-94-8565, September 18, 1997

Carolyn Levy, People of the State of California v. Philip Morris, June 2, 1998

Walker P. Merryman, State of Minnesota v. Philip Morris Inc., C1-94-8565, July 15, 1997

James Mold in Cipollone v. Liggett Group, Inc., November 25, 1985, January 11, 1988

James J. Morgan, State of Minnesota v. Philip Morris Inc., C1-94-8565, March 22, 1998

John Bowen Ross in State of Washington v. American Tobacco Co., October 22, 1998

Andrew Schindler, Iron Workers v. Philip Morris, Inc., No. 1:97-CV-1422 (N.D. Ohio), January 29, 1999

Alexander Spears, Cippolone v. Liggett Group, Inc. (D.N.J.), July 26, 1984

Alexander Spears, Blue Cross & Blue Shield of New Jersey v. Philip Morris Inc., 18-CIV-3287 (JBW) (D.N.J.), March 23, 2000

Alexander Spears, State of Texas v. American Tobacco Co., No. 5:96CV91, July 24, 1997

Jerry Whidby in Blue Cross & Blue Shield of New Jersey v. American Tobacco Co., May 2, 2001

Deposition of Jeffrey S. Wigand, Butler v. Philip Morris, November 29, 1995

Affidavit of Ronald F. Bianchi, State of Minnesota v. Philip Morris, No. C1-94-8565, April 7, 1997

Declaration of Philip H. Cohen, State of Minnesota v. Philip Morris, No. C1-94-8565, May 23, 1997

Affidavit of James W. Dobbins, State of Minnesota v. Philip Morris, No. C1-94-8565, June 20, 1996

Declaration of Alexander Holtzman, State of Minnesota v. Philip Morris, No. C1-94-8565, April 5, 1997

Affidavit of Lawrence E. Savell, State of Minnesota v. Philip Morris, No. C1-94-8565, June 20, 1996

Affidavit of Arthur J. Stevens, State of Minnesota v. Philip Morris, No. C1-94-8565, April 30, 1996

Affidavit of Tara Sutton, State of Minnesota v. Philip Morris, No. C1-94-8565, April 8, 1997

**Additional Source Material for the United States' Preliminary Proposed Findings of Fact:
Published Materials**

- American Psychiatric Association, "Diagnostic and Statistical Manual of Mental Disorders III-R" (1987)
- American Psychiatric Association, "Diagnostic and Statistical Manual of Mental Disorders IV" (1994)
- AP article published July 10, 1963 in Times-Union, Humboldt Times, Tribune, Express, and Call
- AP article published November 3, 1963 in News and Observer, Durham Morning Herald, Journal & Sentinel
- AP article published on April 28, 1964 in Chicago Tribune and Chicago Daily News
- AP article published December 29, 1965 in Easton Express and The Baltimore Sun
- AP article published December 30, 1965 in Cincinnati Inquirer
- Auerbach, Oscar, et al., "Changes in the Bronchial Epithelium in Relation to Smoking and Cancer of the Lung: A Report of Progress," *New England Journal of Medicine* 256.3:104 (1957)
- Auerbach, Oscar, et al., "Changes in the Bronchial Epithelium in Relation to Cigarette Smoking and in Relation to Lung Cancer," *New England Journal of Medicine* 265.6: 253-267 (1961)
- Auerbach, Oscar, E. Cuyler Hammond, and Lawrence Garfinkel, "Changes in the Bronchial Epithelium in Relation to Cigarette Smoking," 1955-1960 vs. 1970-1977, *New England Journal of Medicine* 300.8:381-386 (1979)
- Benowitz, N.L. and Henningfield, J.E., "Establishing a Nicotine Threshold for Addiction," 331 *New England J. Med.* 123-125 (1994)
- Burney, Leroy E., "Smoking and Lung Cancer: a Statement of the Public Health Service," *JAMA* 71: 1835 (1959)
- Chung, Paul J., Garfield, Craig F., *et al.*, "Youth Targeting By Tobacco Manufacturers Since the Master Settlement Agreement," 21:2 *Health Affairs* (March/April 2002)
- Cornfield, Jerome, et al., "Smoking and Lung Cancer: Recent Evidence and Discussion of Some Questions," *Journal of the National Cancer Institute* 22.1:173 (1959)
- Doll, Richard, and Hill, A. Bradford, "Smoking and Carcinoma of the Lung: Preliminary Report" *British Medical Journal* (1950)
- Doll, Richard, and Hill, A. Bradford, "A study of the Aetiology of Carcinoma of the Lung," *British Medical Journal*, 2: 1271-86 (1952)
- Doll, R. and Hill, A. Bradford, "Lung Cancer and Other Causes of Death in Relation to Smoking," *Brit Med J* 2:1071-81 (1956)
- Flynn, B.S., *et al.*, "Prevention of Cigarette Smoking Through Mass Media Intervention and School Programs," 82 *American Journal of Public Health* 827 (1992)
- Foote, Emerson, "Advertising and Tobacco," 245 *JAMA* 1667-1668 (1981)
- Ft. Lauderdale News, July 7, 1961
- Hoffman, Frederick L., "Cancer and Smoking Habits," *Annals of Surgery* 93: 50-67 (1931)
- "Identifiable objectives, depths of resources and strength of commitment are the keys to success in a price war. Don't launch one if you don't have them", *Financial Times* (July 1996)

Joyce Julius and Associates, Sponsor's Report 1999 (Chicago)

Kessler, David, *et al.*, "The Food and Drug Administration's Rule on Tobacco: Blending Science and Law," 99 Pediatrics 884 (June 1997)

Kumit, Paul, "10 Tips From The Top Agency - Exec Explains How Griffin Bacal Scores with Kids," Advertising Age 19-20 (February 10, 1992)

Levin, G., "Poll Shows Camel Ads are Effective with Kids: Preteens Best Recognize Brand," Advertising Age (April 27, 1992)

Levin, G., "Tailoring Medium to Marketers' Needs," Advertising Age (Oct. 3, 1985), cited in 101st Cong, House, Committee on Energy and Commerce, Vol.38, Page 54 (1989)

Levin, Morton L., Goldstein, Hyman and Gerhardt, Paul R. "Cancer and Tobacco Smoking A Preliminary Report," JAMA 143.4: 336, 337 (1950)

Liggett Advertisement, "Fredric March Says - This Is It "L & M Filters Are Just What the Doctor Ordered," 1954

Liu K, Cedres LB, Stamler J, et al., "Relationship of Education to Major Risk Factors and Death from Coronary Heart Disease, Cardiovascular Diseases and All Causes, Findings of Three Chicago Epidemiologic Studies," Circulation 66:1308-14 (1982)

Lombard, Herbert L. and Doering, Carl R., "Cancer Studies in Massachusetts: Habits, Characteristics and Environment of Individuals With and Without Cancer," New England Journal of Medicine 196.10: 481-487 (1928)

McConnell et al., "Occupation and Personal Factors in the Aetiology of Carcinoma of the Lung," Lancet, 651-56 (1952)

Millhiser, "In Defense of Smoking," New York Times, January 12, 1978

Mills and Porter, "Tobacco Smoking Habits and Cancer of the Mouth and Respiratory System," Cancer Research, 539-42 (1950)

Myron Levin, "Jury Views CEO's 'Gummy Bear' Tobacco Deposition: Philip Morris Executive Testifies Cigarettes Aren't Any More Addictive Than Coffee or the Candy, Los Angeles Times," July 18, 1997

New York Journal-American, July 7, 1961

The New York Times, March 11, 1964

The New York Times, April 28, 1964

The New York Times, January 4, 1954

The New York Times, October 22, 1966

The New York Times, December 1, 1970

The New York Times, January 11, 1974

The New York Times, December 14, 1976

The New York Times, May 17, 1988

The New York Times Magazine, February 5, 1984

The New York Times Magazine, April 22, 1979

The New York Times Magazine, July 29, 1979

Ochsner, Alton, "My First Recognition of the Relationship of Smoking and Lung Cancer," Preventive Medicine 2:611-14 (1973)

Omni, May 1989

"Out of the Ashes Choosing a Method to Quit Smoking," DHHS publication No. (CDC) 90-8418

(1990)

Pearl, Raymond, "Tobacco Smoking and Longevity," *Science*, March 4, 1938
Pittsburgh Press, July 16, 1957 (UP article)

Pooling Project Research Group, "Relationship of Blood Pressure, Serum Cholesterol, Smoking Habit, Relative Weight and Ecg Abnormalities to Incidence of Major Coronary Events: Final Report of the Pooling Project," *J Chronic Dis* 31:201-306 (1978)

Royal College of Physicians of London. "Smoking and Health: Summary and Report of the Royal College of Physicians of London on Smoking in Relation to Cancer of the Lung and Other Diseases," 1 (New York, London: Pitman Publishing Company, 1962)

Samet JM, Lange P., "Longitudinal Studies of Active and Passive Smoking," *154 Am. J. Resp. Crit. Care Med.* S257-S265 (1996) USDHHS.

Schrek *et al.*, "Tobacco Smoking as an Etiologic Factor in Disease," *Cancer Research*, 49-58 (1950)

Substance Abuse and Mental Health Services Administration (SAMSA,) "2001 National Household Survey on Drug Abuse"

Surgeon General's Advisory Committee on Smoking and Health, "The Nature, Purpose and Suggested Formulation of the Study of the Health Effects of Smoking, Phase I," *National Archives, Record Group 90, Typescript*, p. 1

"TIRC Report on Progress of Cancer, Heart Research, Tobacco and Health Report," June/July, 1960, at 2

Thun M., Myers D., Day-Lally C., Namboodiri M., Calle E., Flanders W.D., Adams S., Heath Jr. C., "Age and the Exposure-Response Relationships Between Cigarette Smoking and Premature Death in Cancer Prevention Study II, Chapter 5"
Time, April 9, 1984

"Tobacco Industry Says More Research Is Needed: State Laws on Labeling Possible," *Wall Street Journal*, January 13, 1964

"Tobacco Unit Assails Report," *Wall Street Journal*, October 12, 1954, *New York Daily Mirror*, October 13, 1954

Tong, L., Spitz, M.R., Fueger, J. J., and Amos, C. A., "Lung Carcinoma in Former Smokers," *Cancer* 78: 1004-1010 (1996)

The Wall Street Journal, July 10, 1963

The Wall Street Journal, April 28, 1964

The Wall Street Journal, October 31, 1996

The Wall Street Journal, March 3, 1969

The Wall Street Journal, May 1, 1970

The Washington Post, July 10, 1963

The Washington Post, December 1, 1970

Wistuba, I. I., Lam, S., Behrens, C., Virmani, A. K., Fong, K. M., LeRiche, J., Samet, J. M., Srivastava, S., Minna, J. D., and Gazdar, A. F., "Molecular Damage in the Bronchial Epithelium of Current and Former Smokers," *J. Natl Cancer Inst.*, 89: 1366-1373 (1997)

Wistuba, I. I., Behrens, C., Milchgrub, S., Bryant, D., Hung, J., Minna, J. D., and Gazdar, A. F., "Sequential Molecular Abnormalities Are Involved in the Multistage Development of Squamous Cell Lung Carcinoma," *Oncogene* 18: 643-650 (1999)

World Health Organization, "Epidemiology of Cancer of the Lung: Report of a Study Group,"
WHO Technical Reports: 192 (1960)

Wynder, Ernst L., and Graham, Evarts A., "Tobacco Smoking as a Possible Etiologic Factor in
Bronchiogenic Carcinoma," JAMA, 143: 329-38 (1950)

**Additional Source Material for the United States' Preliminary Proposed Findings of Fact:
Miscellaneous Materials**

Expert Report of David Townsend in United States v. Philip Morris

Pub. L. No. 102-322 (codified as amended at 18 U.S.C. § 1341 (1994))

18 U.S.C. §§ 1341, 1343

39 C.F.R. Part 310 and Part 320

39 U.S.C. § 601 et seq.

29 F.R. 530-32

61 Fed. Reg. 44396 (August 1996) (final rule)

61 Fed. Reg. 44619 (August 1996)

Order Granting Plaintiffs' Motion to Compel Regarding Philip Morris International at 9 and 16,
State of Minnesota v. Philip Morris, No. C1-94-8565, filed March 25, 1997

State of Minnesota v. Philip Morris, Inc., C1-94-8565, Exhibits Nos. 2909, 3962

State of Washington v. American Tobacco Co., 96-2-15056, Exhibits Nos. 52, 844

Burton v. R.J. Reynolds Tobacco Co., 167 F.R.D. 134, 142 (D. Kan. 1996)

Burton v. R.J. Reynolds Tobacco Co., 170 F.R.D. 481, 490 (D. Kan. 1997)

Carter v. Brown & Williamson Tobacco Corporation, Case No. 95-00934 CA (Duval Cty. Cir.
Ct., Fla., Transcript July 26, 1996)

Haines v. Liggett Group, Inc., 140 F.R.D. 681, 684-689, 695 (D.N.J. 1992), vacated on
procedural grounds, 975 F.2d 81 (3d Cir. 1992)

Lowe v. R.J. Reynolds, No. 9371 (E.D. Mo.), filed on March 10, 1954

People ex rel. Lockyer v. R.J. Reynolds Tobacco Co., 2002 WL 1292994 (Cal. Superior June 06,
2002)

Sackman v. Liggett Group, Inc., 173 F.R.D. 358, 362-364 (E.D.N.Y. 1997)

State of Florida v. American Tobacco Co., No. CL 95-1466 AH (Palm Beach Cty., Fla., filed
Feb. 21, 1995)

State of Minnesota v. Philip Morris Inc., No. C1-94-8565, 1998 WL 257214, at *9 (Minn. Dist.
Ct. Mar. 7, 1998), mandamus denied sub nom., State of Minnesota v. Philip Morris, No.
CX-98-414 (Minn. App. Mar. 17, 1998), petitions for further review denied sub nom.,
State v. Philip Morris Inc., Nos. CX-98-414, CX-98-431, 1998 WL 154543 (Minn. Mar.
27, 1998), stay denied, 523 U.S. 1056 (1998) (emphasis added)

State of Minnesota v. Philip Morris, Inc., No. C1-94-8565 (Minn. Dist. Ct. Dec. 30, 1997)

State of Minnesota v. Philip Morris, Inc., No. C1-94-8565 (2nd Judicial District, Minn. May 18,
1998)

State of Washington v. American Tobacco Co., No. 96-2-15056-8 SEA (King Cty. Sup. Ct.
1998)

July 24, 1995 Congressional Record

National Tobacco Settlement, Hearing before the House Commerce Committee, Afternoon
Session, Federal News Service (January 29, 1998)

Hearing on the Legality of Cigarette Advertisements Under the Federal Trade Commission Act,

880504 Before the House Subcomm. on Transportation, Tourism and Hazardous Materials (1988) (testimony of James Mold)

101st Cong, House, Committee on Energy and Commerce, Vol.38, Page 2 (1989)

1967 FTC Report

"Report to Congress 1980 Pursuant to the Federal Cigarette Labeling and Advertisement Act,"
FTC (1980)

"Report to Congress for 1997 Pursuant to the Federal Cigarette Labeling and Advertising Act,"
FTC (1999)

"Report to Congress for 1998 Pursuant to the Federal Cigarette Labeling and Advertising Act,"
FTC (2000)

Staff Report prepared by the Majority Staff Subcommittee on Health and the Environment of the Committee on Energy and Commerce House of Representatives titled "Evidence of Nicotine Manipulation by the American Tobacco Company" (December 20, 1994)

Plan of Corporate Dissolution and Distribution of Assets of The Council for Tobacco Research-U.S.A., Inc. (October 19, 1998)

Philip Morris Companies, Inc. Annual Reports for 1985-2001

Annual Reports of R.J. Reynolds Tobacco Company for 1958

Annual Report R.J. Reynolds Industries, Inc. for 1970

Annual Reports RJR Nabisco, Inc. for 1986-1987, 1994-1998

RJR Nabisco, Inc. SEC Form 10-K for the Fiscal Year Ended December 31, 1988

RJR Nabisco Holdings Corp. SEC Forms 10-K for Fiscal Years 1989-1993

R.J. Reynolds Tobacco Holdings, Inc. SEC Forms 10-K for Fiscal Years 1999-2000

Liggett Group, Inc. SEC Forms 10-K for Fiscal Years 1979-1982, 1988-1990

Brooke Group Ltd. SEC Forms 10-K for Fiscal Years 1991-1999

Vector Group Ltd. SEC Forms 10-K for Fiscal Years 2000-2001

Loew's Corp. SEC Form 10-Q filed Nov. 22, 2002

Lorillard Corporation SEC Form 10-K for the Fiscal Year Ending December 31, 1968

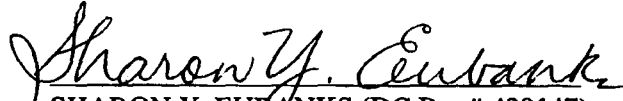
Loews Corporation Annual Reports for 1969-1970, 1972-1973, 1976-1983, 1993-1997, 1999, 2001

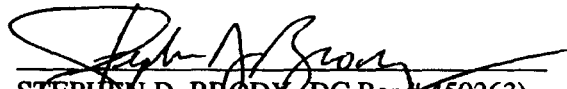
Loews Corporation SEC Forms 10-K for Years 1974, 1975, 1984-1992, 1998, 2000

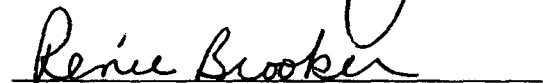
March 5, 2003

Respectfully submitted,

ROBERT D. McCALLUM, Jr.
Assistant Attorney General


SHARON Y. EUBANKS (DC Bar # 420147)
Director, Tobacco Litigation Team


STEPHEN D. BRODY (DC Bar # 459263)
Deputy Director, Tobacco Litigation Team


RENÉE BROOKER (DC Bar # 430159)
Assistant Director, Tobacco Litigation Team

United States Department of Justice
Post Office Box 14524
Ben Franklin Station
Washington, DC 20044-4524
(202) 616-4185

Attorneys for Plaintiff
United States of America