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IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

IN RE: TOBACCO LITIGATION

(INDIVIDUAL PERSONAL INJURY CASES)

CIVIL ACTION NO. 00-C-5000

Judge Arthur M. Recht

JUDGMENT ON PHASE I

The then-pending civil actions comprising *In re: Tobacco Litigation (Individual Personal Injury Cases)* came on for trial of the issues identified for Phase I on April 15, 2013, the Honorable Arthur M. Recht presiding, whereupon came Jeremy Spence, foreperson, and five jurors who were duly sworn to try the Phase I issues between the parties in these civil actions. Following argument of counsel, testimony of witnesses, evidence presented and instructions of the Court, the Jury retired to deliberate. Thereafter, the Jury returned on May 15, 2013 in open court with its verdict in the following words:

PHASE I VERDICT FORM

The Court has instructed the jury on the law. Based on those instructions and the evidence in the case, please answer the following questions.

Question No. 1a. Have plaintiffs proven that all cigarettes manufactured and sold by the Defendants were defectively designed?

___Yes _X_ No

Question No. 1b. Have plaintiffs proven that all cigarettes manufactured and sold by the Defendants prior to July 1, 1969 were defective because of a failure to warn?

___Yes _X_ No

Question No. 1c. Have plaintiffs proven that all ventilated filter cigarettes manufactured and sold by the Defendants between 1964 and July 1, 1969 were defective because of a failure to instruct?

_X_ Yes ___ No

Question No. 2. Have plaintiffs proven that the Defendants negligently designed, tested or manufactured their cigarettes?

___Yes _X_ No

Question No. 3. Have plaintiffs proven that after December 31, 1973, Defendants Philip Morris, R.J. Reynolds, or Brown & Williamson sold Cambridge, Carlton, or NOW cigarettes that failed to conform to the terms of an affirmation or promise, or did not fit a description of those cigarettes, at the time the cigarettes were sold, when used in a normal or reasonable manner?

___Yes _X_ No

Question No. 4. Have plaintiffs proven, by clear and convincing evidence, that prior to July 1, 1969, the Defendants intentionally concealed from the public the danger of smoking?

___Yes _X_ No

If you answered "Yes" to any of the preceding six questions, please follow the instructions in the next paragraph. If you answered "No" to all six questions, please skip the remaining questions and have your foreperson sign and date this form on the last page.

If your answer to Question No. 3 was "Yes," answer Question No. 5. If your answer to Question No. 3 was "No," skip to the next page.

Question No. 5. If your answer to Question 3 was "Yes," identify which cigarette brand(s) failed to conform to the warranty:

Cambridge	___ Yes	___ No
Carlton	___ Yes	___ No
NOW	___ Yes	___ No

If your answer to Question No. 1a, 1b, 1c, and/or 4 was "Yes," answer Question No. 6. If your answer to Question Nos. 1a, 1b, 1c, and 4 was "No," stop here, have your foreperson sign and date this form on the last page, and return it.

Question No. 6 With respect to the conduct on which you based your answers to Questions No. 1a, 1b, 1c, and/or 4, have plaintiffs proven by clear and convincing evidence that the defendant(s) acted with gross fraud, malice, oppression, or wanton, willful, or reckless indifference to civil obligations affecting the rights of others?

___Yes _X_ No

If your answer to Question No. 6 is "No," stop here, have your foreperson sign and date this form, and return it. If your answer to Question No. 6 is "Yes," answer Question No. 7.

Question No. 7. If your answer to Question 6 is "Yes," identify whether the specific conduct was found under Questions No. 1a, 1b, 1c, and/or 4; the defendant(s) that engaged in the specific conduct; and the time period during which that specific conduct occurred.

Defendant(s)	Question No. 1a	Question No. 1b	Question No. 1c	Question No. 4
R.J. Reynolds Tobacco Company	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____
Brown & Williamson Tobacco Corporation	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____
Philip Morris USA, Inc.	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____
Lorillard tobacco Company	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____	Yes __ No __ Time Period: _____

Please sign and date this form and notify the court that you have completed your deliberations.

May 15, 2013_____ /s/ Jeremy Spence_____
DATE FOREPERSON

Accordingly, it is hereby ORDERED that Judgment be, and the same hereby is, entered on the Jury's verdict, as follows:

Civil Actions Fully Resolved by the Verdict

1. In the civil actions (identified in Appendix A to this Judgment) brought by Plaintiffs who did not allege in their paragraph 5(b) submissions that they (or their decedent) smoked any brand of ventilated filter cigarettes between 1964 and July 1, 1969, the jury's Phase I verdict resolves all issues remaining between the parties in favor of Defendants. Thus, final judgment shall be, and hereby is, entered in favor of Defendants and against the Plaintiffs in those civil actions.[1]

Civil Actions Not Fully Resolved by the Verdict

2. In the civil actions (identified in Appendix B to this Judgment) brought by Plaintiffs who arguably did allege in their paragraph 5(b) submissions that they (or their decedent) smoked a brand of ventilated filter cigarettes between 1964 and July 1, 1969, the jury's Phase I verdict does not resolve all issues between all parties. Rather, in light of the Phase I verdict, Plaintiffs in those civil actions are potentially eligible to proceed to Phase II, but only for compensatory damages and only against the Defendant or Defendants who manufactured the brand of ventilated filter cigarettes allegedly smoked by Plaintiff (or Plaintiff's decedent) between 1964 and July 1, 1969, and only to resolve their individual claim that they suffered a personal injury caused by smoking a ventilated filter cigarette during the period from 1964 to July 1, 1969 due to a failure to instruct, as well as resolve any individual defenses asserted by defendants as to that claim.

3. With respect to the civil actions listed in Appendix B, the jury's Phase I verdict resolves all issues between the Plaintiff and those Defendants who did not manufacture the brand

[1] The brands of ventilated filter cigarettes manufactured and sold by each Defendant during the period 1964 to July 1, 1969 are identified in the Declarations appended to this Judgment as Exhibit 1.

of ventilated filter cigarettes allegedly smoked by the Plaintiff (or Plaintiff's decedent) between 1964 and July 1, 1969. In each of the civil actions listed in Appendix B, any Defendant who did not manufacture and sell the brand of ventilated filter cigarettes allegedly smoked by the Plaintiff (or Plaintiff's decedent) between 1964 and July 1, 1969 is entitled to entry of judgment in its favor in that civil action. Accordingly, judgment shall be, and hereby is, entered, in each civil action listed on Appendix B, in favor of any Defendant(s) who did not manufacture and sell the brand of ventilated filter cigarettes allegedly smoked by the Plaintiff (or the Plaintiff's decedent) between 1964 and July 1, 1969, as identified in Plaintiffs' paragraph 5(b) submissions.

4. In addition, all Defendants are entitled to entry of judgment in their favor, based on the jury's verdict, on all claims, theories, and causes of action (including any claims for punitive damages) asserted by Plaintiffs listed on Appendix B, other than the 1964 to July 1, 1969 failure to instruct claim addressed in Question 1(c) of the Verdict. Accordingly, judgment shall be, and hereby is, entered on the jury's verdict, in favor of Defendants, and against those Plaintiffs whose civil actions are listed on Appendix B, on all claims, theories, and causes of action (including any claims for punitive damages) asserted by those Plaintiffs, other than the 1964 to July 1, 1969 failure to instruct claim.

5. This Court finds and determines, pursuant to West Virginia Rules of Civil Procedure 54(b), that there is no just reason to delay review of the judgments entered in Paragraphs 3 and 4 above. Accordingly, those judgments are certified as final judgments, pursuant to Rule 54(b), and subject to immediate appellate review.

Civil Actions Dismissed Before The Verdict

6. With respect to the Plaintiffs whose civil actions were dismissed prior to trial, final judgment shall be, and hereby is, entered in favor of Defendants and against the Plaintiffs in

those civil actions. Defendants' objections to this entry of final judgment, based on their view that the prior dismissal orders constituted final judgments at the time they were entered, are noted, overruled, and preserved for appeal, for reasons expressed on the record at the August 13, 2013 hearing.

The clerk is directed to forward certified copies of this Final Judgment Order to Liaison Counsel of record.

ENTER: September 16, 2013

/s/ Arthur M. Recht
Senior Status Judge

APPENDIX A:[2]

PLAINTIFFS WHO DID NOT SMOKE VENTILATED PRODUCTS
BETWEEN 1964 AND JULY 1, 1964

No.	Case Name	Smoker Name	Civil Action Number
1	Accord R	Accord, Ronald	00-C-923
2	Adamchuk L	Adamchuk, Linda (Deceased)	00-C-924
3	Adams PR	Adams, Patten Ray	00-C-925
4	Adkins BF	Adkins, Beulah F.	98-C-1774
5	Adkins Charles	Adkins, Charles H.	00-C-375
6	Adkins Oscar	Adkins, Oscar J.	00-C-376
7	Adkins Roy	Adkins, Betty J. (Deceased)	00-C-374
8	Akers Gracie	Akers, Gracie	00-C-379
9	Alift MG	Aliff, Milton Gilbert	00-C-380
10	Allen K	Allen, Kelly (Deceased)	98-C-2337
11	Altenburg G	Altenburg, Gary	00-C-382
12	Amabile R	Amabile, Ralph C.	00-C-381
13	Anderson DJ	Anderson, Ruth E. (Deceased)	98-C-1773
14	Anderson MF	Anderson, Alfred (Deceased)	00-C-383
15	Ankrom F	Ankrom, Francis (incorrect smoker on 5B; Robert is smoker and is deceased)	00-C-937
16	Ankron T	Ankron, Tammy	00-C-385
17	Aqzmall R	Aqzmall, Robert	00-C-938
18	Arbogast ML	Arbogast, Mary Lee	00-C-387
19	Asbury E	Ashbury, Ella	00-C-941
20	Ashley JE	Ashley, Judy Ellen	00-C-390
21	Bailey C	Bailey, Camilla	00-C-393
22	Bailey I	Bailey, Irene (Deceased)	00-C-943
23	Bailey Judith P	Wilkinson, Lena M. (Deceased)	99-C-23
24	Baldwin Paul	Baldwin, Paul	00-C-395
25	Ball CA	Ball, Carolyn Ann	00-C-946
26	Ball FW	Ball, Jeff W. (Deceased)	00-C-949
27	Barber S	Bonnette, Eva L. (Deceased)	00-C-970
28	Bardwil JC	Bardwil, Joyce C.	00-C-950
29	Barnes RL	Barnes, Roger L.	00-C-399

[2] Case names reflected in Appendix A and B are taken from the complaints and smoker names are taken from plaintiffs' 5(b) information.

No.	Case Name	Smoker Name	Civil Action Number
30	Barton DP	Barton, Donald Play	00-C-953
31	Barton LD	Barton, Larry D.	00-C-397
32	Basham C	Basham, Clarence	00-C-402
33	Batliff RD	Batliff, Roger D.	00-C-954
34	Baum WT	Baum, Willard T.	98-C-1775
35	Belcher Robert J	Belcher, Robert J.	00-C-404
36	Bennett ER	Bennett, Ermel L.	00-C-406
37	Bennett Jo Lynn	Bennett, Jo Lynn	00-C-957
38	Berry R	Meadows, Viola I. (Deceased)	00-C-959
39	Berryman John Walker	Berryman, John W. (Deceased)	00-C-407
40	Bickerstaff TE	Bickerstaff, Thomas E.	00-C-960
41	Bishop LC	Bishop, Lester	98-C-2697
42	Bissett F	Bissett, Frank	00-C-408
43	Black T	Black, Tim	00-C-962
44	Blackwell J	Blackwell, Joan	00-C-409
45	Blain RR	Blain, Howard Wayne (Deceased)	99-C-84
46	Blake PL	Blake, Patricia L.	00-C-412
47	Bland SL	Bland, John L (Deceased)	98-C-2339
48	Blankenship M	Blankenship, Dorsey R. (Deceased)	00-C-276
49	Blankenship RS	Swick, Jack (Deceased)	00-C-855
50	Boggs O	Boggs, Oscar, Sr. (Deceased)	00-C-967
51	Bogues W	Boggs, Worthy (Deceased)	00-C-968
52	Bolin MF	Bolin, Manuel F. Sr (Deceased)	98-C-1777
53	Bolt JA	Bolt, James A.	00-C-969
54	Bonar W	Bonar, William Okey	00-C-415
55	Boner B	Boner, Barbara	00-C-416
56	Boothe WW	Boothe, Woodrow W.	00-C-418
57	Bostick M	Bostick, Mona	00-C-972
58	Bowder CB	Bowden, Carroll B.	00-C-421
59	Bowen KJ	Bowen, Kenneth J.	99-C-12
60	Bowen N	Bowen, Nicky	00-C-974
61	Bowles R	Bowles, Richard A. (Deceased)	00-C-422
62	Bowman JL	Bowman, Jimmy Lee	00-C-426
63	Bowyer GW	Boyer, Guy W.	00-C-427
64	Boyd Caroline	Boyd, Carolyn	00-C-976
65	Boyd K	Napier, Ethel (Deceased)	00-C-1269
66	Bradshaw RL	Bradshaw, Robert L.	00-C-977
67	Brady A	Brady, Anna	00-C-429
68	Bragg Harold	Bragg, Harold	00-C-430
69	Bragg Margaret	Bragg, Margaret C. (Deceased)	00-C-431
70	Bragg Violet	Bragg, Violet C. (Deceased)	00-C-432

No.	Case Name	Smoker Name	Civil Action Number
71	Brewster Johnny	Brewster, Johnny	00-C-434
72	Brewster Phillip	Brewster, Phillip	00-C-435
73	Britt Daniel	Britt, Daniel Melvin	00-C-436
74	Britt Pearl	Britt, Pearl Paulette	00-C-437
75	Brogan PH	Brogan, Posey H. (Deceased)	98-C-2343
76	Brooks K	Brooks, Kathy	00-C-986
77	Brotosky GF	Brotosky, Guy Frank, Sr.	00-C-987
78	Brown Kathelene	Brown, Kathelene	00-C-440
79	Brown Mary J	Brown, Mary J.	00-C-442
80	Brown Priscilla	Brown, Priscilla	00-C-989
81	Brown Roberta J	Brown, John Mac (Deceased)	00-C-439
82	Brown Susie	Brown, Arthuir (Deceased)	98-C-2344
83	Browning BC	Browning, Billy C.	00-C-990
84	Browning Jeanette M	Browning, Robert H. (Deceased)	00-C-444
85	Brumfield D	Brumfield, Joe R. (Deceased)	98-C-1779
86	Bryant Brenda G	Bryant, Brenda G.	00-C-445
87	Bryant D	Carter, Madeline (Deceased)	98-C-2347
88	Bryant Michael E	Bryant, Michael E.	00-C-446
89	Burdette Clark	Burdette, Clark	00-C-449
90	Burdette SE	Burdette, Samuel E.	98-C-2346
91	Burger G	Georghetti, Retonda (Deceased)	00-C-452
92	Burgess C	Burgess, Charles (Deceased)	00-C-994
93	Burns LF	Burns, Louis F.	00-C-453
94	Burton Mary A	Burton, Mary A.	00-C-455
95	Butler Delores J	Butler, Delores J. (Deceased)	00-C-457
96	Byus CF	Byus, Thomas K. (Deceased)	98-C-1780
97	Canterbury WJ	Canterbury, Wanda J.	00-C-461
98	Carte James	Carte, James	00-C-466
99	Carter NM	Carter, Dallas R (Deceased)	98-C-2698
100	Caruthers G	Caruthers, Greg	00-C-1004
101	Cash KK	Randolph, Anna B. (Deceased)	98-C-2709
102	Chafins J	Chafins, Janice	00-C-469
103	Chapman P	Chapman, Charles E. (Deceased)	00-C-1012
104	Childers Darrell	Childers, Jacqueline	98-C-1781
105	Church B	Church, Benjamin	00-C-1013
106	Cisco C	Cisco, Clyde	00-C-472
107	Clark Christella	Clark, Christella	00-C-473
108	Clark G	Clark, George	00-C-1014
109	Clark RA	Clark, Roy Alfred	00-C-475
110	Clark RJ	Clark, Robert James, Jr.	00-C-1016
111	Clarke EL	Clarke, Edwin	99-C-11
112	Clay LL	Clay, Darrell T. (Deceased)	98-C-1782

No.	Case Name	Smoker Name	Civil Action Number
113	Click DL	Click, Lewis (Deceased)	00-C-987
114	Cline B	Cline, Bernice	00-C-478
115	Cline DL	Cline, Donna Sue (Deceased)	00-C-479
116	Cline Gerald	Cline, Gerald	00-C-480
117	Cohernour A	Cohernour, Alicia	00-C-1021
118	Coleman I	Coleman, Imogene	98-C-2349
119	Colman P	Coleman, Everett D. (Deceased)	00-C-1476
120	Compton JT	Compton, Joel T. (Deceased)	98-C-2699
121	Conley CR	Conley, Charles R.	00-C-484
122	Cool R	Cool, Lonzo (Deceased)	00-C-1026
123	Cooper Hazel	Cooper, Hazel	00-C-485
124	Cooper LG	Cooper, Larry G	98-C-2700
125	Cottle DE	Cottle, Donald E.	00-C-488
126	Counts ML	Counts, Marilyn L.	00-C-295
127	Craddock G	Craddock, Lewis, Jr. (Deceased)	00-C-490
128	Craft Clinton	Craft, Clinton	00-C-491
129	Craft Jimmy	Craft, Martha A. (Deceased)	00-C-492
130	Crites G	Crites, Charlie H. (Deceased)	98-C-2354
131	Cunningham B	Cunningham, Emozette (Deceased)	98-C-2355
132	Cunningham Roy	Cunningham, Roy L.	00-C-494
133	Curry A	Curry, Arbutus (Deceased)	00-C-1029
134	Dalton DR	Dalton, Dannie	00-C-1030
135	Dawson Larry	Dawson, Larry A.	00-C-504
136	Dean B	Dean, Bonnie	00-C-1037
137	Dean CK	Dean, Charles R. (Deceased)	98-C-1783
138	Dean P	Dean, Patty	00-C-1039
139	Deel Anna	Deel, Anna R.	00-C-500
140	Defoe P	Defoe, Patsy	00-C-1041
141	DiBacco AL	DiBacco, James (Deceased)	98-C-2356
142	DiGirolamo DM	DiGirolamo, Phillip (Deceased)	98-C-2357
143	Dillard James Fred	Dillard, James Fred	00-C-507
144	Dillon Mary Ruth	Dillon, Billy David (Deceased)	00-C-508
145	Dingess Brenda	Dingess, Brenda K.	00-C-509
146	Dingess Louis	Dingess, Louis F.	00-C-511
147	Dingess N	Dingess, Neal	00-C-1042
148	Dingess Simon	Dingess, Simon	00-C-510
149	Dingess W	Dingess, Grover (Deceased)	00-C-251
150	Diveley P	Diveley, Pamela G.	00-C-1043
151	Dolan R	Dolan, Reba (Deceased)	00-C-1045
152	Donley RE	Donley, Richard	00-C-1046
153	Downs JA	Downs, Judith Ann	00-C-514
154	Duffield BL	Duffield, Bonnie L.	98-C-2358

No.	Case Name	Smoker Name	Civil Action Number
155	Duncan M	Duncan, Earl H. (Deceased)	98-C-2702
156	Dunlap Charles	Dunlap, Charles D.	00-C-516
157	Durbin K	Durbin, Harold (Deceased)	00-C-1055
158	Eads PC	Eads, Patrick	00-C-517
159	Edens B	Edens, Orvill E. (Deceased)	00-C-1056
160	Edwards CC	Humphreys, Kines F. (Deceased)	98-C-2703
161	Elkins Roy Marie	Elkins, Roy (Deceased)	00-C-520
162	Ellis Linda	Keeney, Erma E. (Deceased)	00-C-640
163	Elmore JD	Elmore, James D.	00-C-1060
164	English Jack	English, Jack (Deceased)	00-C-523
165	Eplin Judith	Eplin, Paul E. (Deceased)	00-C-524
166	Erwin KA	Erwin, Keenan Allen	00-C-525
167	Eskew WF	Eskew, William F., III	00-C-527
168	Evans Inas M	Evans, Albert (Deceased)	00-C-528
169	Farley Carol	Farley, Carol M.	00-C-530
170	Farley Johnny	Farley, Johnny (Deceased)	00-C-529
171	Farren TA	Farren, Tyrone Ashby (Deceased)	00-C-532
172	Ferguson BK	Ferguson, Brian K.	00-C-534
173	Ferrell Larry	Ferrell, Larry (Deceased)	00-C-535
174	Fife OW	Fife, Ogburn W.	98-C-2361
175	Flenniken JE	Flenniken, James E.	00-C-537
176	Forgacs Donna	Forgacs, Donna	00-C-539
177	Fox Gary	Fox, Gary L.	00-C-542
178	Francis M	Francis, Donald M. (Deceased)	00-C-543
179	Freeman H	Freeman, S. Irene (Deceased)	98-C-2362
180	French Linda	Adkins, Velma (Deceased)	00-C-378
181	Frye Arlie	Frye, Arlie	00-C-545
182	Frye Martin	Frye, Martin J. (Deceased)	00-C-546
183	Fuller D	Fuller, Eloise (Deceased)	98-C-1786
184	Garaffa Eula M	Garaffa, Vincent R. (Deceased)	00-C-549
185	Gauze WD	Gauze, Phyllis J. (Deceased)	98-C-2363
186	George Bobby Ray	George, Bobby Ray	00-C-551
187	Gibson J	Gibson, Jimmy (Deceased)	00-C-1079
188	Gillespie MF	Gillespie, Hollis F. (Deceased)	98-C-2364
189	Gilman BJ	Gilman, Betty J. (Deceased)	00-C-554
190	Gilman T	Gilman, Sr., Cefford (Deceased)	98-C-2365
191	Goff JF	Fisher, Virginia A. (Deceased)	00-C-1068
192	Gomez I	Gomez, Ignacio	00-C-1081
193	Gordon Ray	Gordon, Ray	00-C-1083
194	Gray H	Gray, Harold	00-C-559
195	Gray John	Gray, John (Deceased)	00-C-1085
196	Greathouse JA	Greathouse, John	00-C-561
197	Greenlief M	Greenlief, Marilyn	00-C-563

No.	Case Name	Smoker Name	Civil Action Number
198	Groves R	Groves, Robert	00-C-1094
199	Grubb S	Grubb, Sherry	00-C-1095
200	Haderman MG	Haderman, Mary (Deceased)	00-C-566
201	Hager HA	Hager, Homer A. (Deceased)	00-C-1098
202	Hairston ER	Hairston, Evelyn R. (Deceased)	00-C-568
203	Hale Gordon	Hale, Gordon Lee (Deceased)	00-C-570
204	Hale Kenneth	Hale, Kenneth D.	00-C-571
205	Hall Cora	Hall, Cora L. (Deceased)	00-C-572
206	Hall Jerry	Hall, Jerry	00-C-573
207	Hall MF	Hall, Donald Lee (Deceased)	98-C-2367
208	Hanshaw M	Hanshaw, Melvin (Deceased)	00-C-1104
209	Harbert RL	Harbert, Robert Lee (Deceased)	00-C-1496
210	Hardin Charles	Hardin, Charles L. (Deceased)	00-C-575
211	Hardin Monroe	Hardin, Monroe	00-C-576
212	Harless Donald D	Harless, Wanda Gail (Deceased)	00-C-580
213	Harmon William	Harmon, William, Jr.	00-C-582
214	Hart JE	Hart, Janice (Deceased)	00-C-1186
215	Hatfield Shirley J	Hatfield, Henry D. (Deceased)	00-C-590
216	Hayes DL	Hays, Dotty Lou	00-C-592
217	Heaster B	Heaster, Basil R.	98-C-2370
218	Hedrick James	Hedrick, Betty R. (Deceased)	00-C-1475
219	Hibbs MR	Hibbs, Minerva	98-C-1787
220	Hibner B	Hibner, Larry R. (Deceased)	00-C-1121
221	Hicks Donald	Hicks, Donald L.	00-C-595
222	Hieneman MA	Hieneman, Mary A. (Deceased)	98-C-2371
223	Hight C	Hight, Curtis, Jr.	00-C-1122
224	Hightower S	Highertower-Casey, Brenda (Deceased)	00-C-1123
225	Hineman LJ	Hineman, Linda J.	00-C-599
226	Hodge JW	Hodge, Mabel L. (Deceased)	98-C-1788
227	Hodges Joyce	Hodges, Joyce Ann	00-C-602
228	Hogsett CH	Hogsett, Charles H.	00-C-603
229	Hoover LS	Hoover, Louise S. (Deceased)	00-C-1128
230	Hopwood ML	Hopwood, Melvin L.	00-C-605
231	Horn B	Horn, Brenda	00-C-1130
232	Howard Michael	Howard, Mike	00-C-606
233	Howell G	Howell, Gladys	00-C-1133
234	Hudek Patricia	Hudek, Patricia	00-C-608
235	Huffman CM	Huffman, Allen U (Deceased)	98-C-276
236	Hughes K	Hughes, Kathy	00-C-1135
237	Hunley N	Hunley, Nannie	00-C-611
238	Hunter RH	Hunter, Robert H.	00-C-612
239	Husty TP	Husty, Thomas P. (Deceased)	98-C-1789

No.	Case Name	Smoker Name	Civil Action Number
240	Hyder Betty	Hyder, Betty J. (Deceased)	00-C-613
241	Jackson Angela	Jackson, Angela M.	00-C-615
242	Jackson DE	Lockhart, Minnie M. (Deceased)	00-C-289
243	Jackson Robert	Jackson, Robert L. (Deceased)	00-C-616
244	James GA	James, Gene A.	00-C-618
245	Jeffries A	Jeffries, Allen	00-C-1142
246	Jeffries WE	Jeffries, W.E., Jr.	00-C-619
247	Jenkins T	Gross, Octavia (Deceased)	00-C-1093
248	Johns A	Johns, Alva	00-C-1148
249	Johnson Farrell	Johnson, Joann (Deceased)	00-C-1145
250	Johnson George	Johnson, George O.	00-C-624
251	Johnson JP	Johnson, Johnny	00-C-1146
252	Johnson KL	Johnson, Lemma L. (Deceased)	00-C-625
253	Johnson L	Johnson, Paul D. (Deceased)	98-C-2376
254	Johnson Mark	Johnson, Gerald D. (Deceased)	00-C-623
255	Johnson Robert	Johnson, Robert K.	00-C-626
256	Johnston R	Keene, Sampy D. (Deceased)	98-C-2374
257	Jones Betty	Mullins, Eulah May (Deceased)	00-C-731
258	Jones Lillie	Jones, Lillie M. (Deceased)	00-C-629
259	Jones OJ	Jones, Oscar John (Deceased)	00-C-1151
260	Jones Richard	Jones, Richard H. (Deceased)	00-C-633
261	Jones Sarah	Jones, Sarah E.	00-C-631
262	Joplin J	Joplin, James,	00-C-634
263	Jordan CA	Jordan, Allen Cortland (Deceased)	00-C-274
264	Justice Erma	Justice, Erma J.	00-C-635
265	Justice Shelia	Justice, Shelia Kay	00-C-636
266	Kandis CS	Kandis, Charles S.	00-C-637
267	Keeney HB	Keeney, Harry B.	00-C-641
268	Keffer DR	Keffer, Daniel R. (Deceased)	00-C-642
269	Kennedy G	Kennedy, Glenna A.	00-C-1155
270	Kennedy Richard	Kennedy, Richard E.	00-C-643
271	Kessler JE	Kessler, John Everett	00-C-645
272	Keyes OL	Keyes, Opal L.	98-C-2377
273	Kidd A	Kidd, Albert (Deceased)	00-C-647
274	Kimble W	Kimble, Wayne	00-C-1157
275	King DL	King, Thurman R. (Deceased)	98-C-1790
276	King E	King, Elenor	00-C-1159
277	King Fredrick	King, Fredrick (Deceased)	00-C-648
278	King Judith	Humphreys, Beatrice (Deceased)	98-C-2375
279	King Wanda	King, Wanda P.	00-C-649
280	Kingrey RK	Kingrey, Ronald C.	00-C-651
281	Kinser D	Kinser, Herbert (Deceased)	00-C-1160

No.	Case Name	Smoker Name	Civil Action Number
282	Kirby DE	Kirby, David Earl	00-C-653
283	Kirk BJ	Kirk, Bessie	00-C-654
284	Kinsmore FJ	Kinsmore, Flora J.	00-C-652
285	Koontz LD	Koontz, Larry, Sr.	00-C-655
286	Krajnak S	Krajnak, Steve (in extremis) (Deceased)	00-C-656
287	Kupner B	Kupner, Ralph (Deceased)	00-C-1483
288	Lamb LL	Lamb, Mark (Deceased)	00-C-1998
289	Lambert D	Jones, John (Deceased)	98-C-2705
290	Lanham GE	Lanham, Geraldine E. (Deceased)	00-C-662
291	Lankford W	Lankford, William	00-C-1170
292	Lawrence Vicci	Lawrence, Vicci	00-C-665
293	Lawson S	Lawson, Shirley	00-C-666
294	LeBrun G	LeBrun, John H. (Deceased)	98-C-2378
295	Leake CF	Leake, Brenda (Deceased)	00-C-1184
296	Leonard RI	Leonard, Robert I.	00-C-668
297	Lewis DA	Lewis, Danny A.	00-C-669
298	Lewis P	Lewis, Paul	00-C-1178
299	Lightner S	Perry, Victoria Ruie (Deceased)	00-C-1306
300	Likens RH	Likens, Robert	98-C-2706
301	Linger E	Linger, Ethel	00-C-1181
302	Linville H	Linville, Howard	00-C-671
303	Lish B	Lish, Beatrice	00-C-672
304	Lockhart Karen	Lockhart, Karen	00-C-674
305	Lockhart Melda	Lockhart, Robert (Deceased)	00-C-673
306	Logue DJ	Logue, Deloris J.	00-C-675
307	Long SV	Long, Lesley D. (Deceased)	98-C-2379
308	Long Wanda	Long, Wanda	00-C-677
309	Loudin W	Loudin, William, II	00-C-678
310	Lovejoy Tracy	Lovejoy, Tracy Renee (Deceased)	00-C-680
311	Lucion P	Lucion, Peggy	00-C-1192
312	Lumpkin RL	Lumpkin, Richard Lee	00-C-1194
313	Lyons K	Lyons, Douglas (Deceased)	00-C-914
314	Mace M	Mace, Kenton (Deceased)	00-C-1411
315	Maglietta CJ	Maglietta, Carl J. (Deceased)	00-C-1204
316	Malcolm Donnie	Malcom, Donnie, Sr.	00-C-684
317	Malena R	Malena, Richard	00-C-1197
318	Mallett AR	Mallett, Wilma F. (Deceased)	98-C-2380
319	Mallory PG	Moubry, Christine (Deceased)	00-C-1256
320	Mallow S	Mallow, Shirley E.	00-C-1199
321	Marcum Sena	Marcum, Sena	00-C-685
322	Marcus C	Hairston, Jessie B. (Deceased)	00-C-1106
323	Marlow HB	Marlow, Sanford F. (Deceased)	98-C-2381

No.	Case Name	Smoker Name	Civil Action Number
324	Martin Mary	Martin, Mary (Deceased)	00-C-690
325	Mayle DM	Mayle, Dorothy M.	00-C-692
326	Maynard James	Maynard, James B. (Deceased)	00-C-693
327	Maynard M	Workman, Wilda (Deceased)	00-C-1470
328	Maynard Marvin	Maynard, Marvin	00-C-695
329	Maynard Ronald	Maynard, Ronda	00-C-1212
330	Maynor C	Maynor, Carol	00-C-1214
331	Mayo BD	Mayo, Richard L. (Deceased)	00-C-696
332	McAdams KR	McAdams, Kenneth	00-C-698
333	McCallister B	McCallister, Bernard (Deceased)	00-C-699
334	McClellan D	McClellan	00-C-1217
335	McClelland R	McClelland, Glonda (Deceased)	00-C-1218
336	McElfresh R	McElfresh, Robert L.	00-C-1225
337	McFarland G	McFarland, Goble	00-C-1226
338	McFeeley SD	McFeeley, Sherri (Deceased)	00-C-704
339	McGhee R	McGhee, Rodney	00-C-1229
340	McGraw PA	McGraw, Patricia A.	00-C-705
341	McNeilly O	McNeely Oley	00-C-1230
342	McNelly CC	McNelly, Harry R (Deceased)	98-C-1792
343	McPeak M	McPeak, Mary	00-C-709
344	Meadows S	Meadows, Larry R. (Deceased)	00-C-711
345	Melloy GL	Melloy, Gary L.	00-C-1235
346	Merolle G	Merolle, George	00-C-712
347	Mick LA	Cottrill, Lonnie E. (Deceased)	98-C-2353
348	Miller AJ	Miller, Sandra K. (Deceased)	99-C-169
349	Miller BC	Miller, Lester H. (Deceased)	98-C-1793
350	Miller JE	Miller, Geraldine E. (Deceased)	98-C-2382
351	Miller Patrick J	Miller, Patrick J.	00-C-1243
352	Miller Paul Edward	Miller, Paul Edward	00-C-717
353	Miller Wallace	Miller, Wallace R. (Deceased)	00-C-1244
354	Mitchell D	Mitchell, Donna D.	00-C-1246
355	Mitchem GS	Mitchem, Mary F. (Deceased)	98-C-1794
356	Mitchem Thersea	Mitchem, Willie A. (Deceased)	00-C-721
357	Mitros H	Mitros, Hilda	00-C-1248
358	Moomaw SM	Moomaw, Susan M.	00-C-724
359	Moore Faye	Moore, Faye	00-C-726
360	Moore Harold D	Moore, Harold D. (Deceased)	00-C-1250
361	Morris L	Morris, Clifford (Deceased)	98-C-492
362	Moss TL	Moss, Teddy Lewis	00-C-728
363	Mounts K	Mounts, Larry E. (Deceased)	98-C-2383
364	Mullens David E	Mullens, David E.	00-C-730
365	Mullins Christine	Mullins, Christine	00-C-1260
366	Mullins Ernest	Mullins, Ernest	00-C-1261

No.	Case Name	Smoker Name	Civil Action Number
367	Mullins Mary	Mullins, Mary	00-C-1262
368	Mullins Shirley	Mullins, Shirley	00-C-1263
369	Muncy HH	Taylor, Sonja A. (Deceased)	97-C-21-S
370	Muncy HH	Stapleton, Nicky R. (Deceased)	97-C-21-S
371	Murphy Daniel	Murphy, Daniel	00-C-1265
372	Murphy Janey Lea	Murphy, Janey Lea (Deceased)	00-C-1266
373	Murphy M	Murphy, Margaret	00-C-737
374	Musick MW	Musick, Marvin Wayne	00-C-738
375	Myers LA	Wright, Lloyd (Deceased)	00-C-909
376	Navarro D	Navarro, Donald	00-C-740
377	Naylor EM	Naylor, Eva Marie	00-C-1271
378	Nelson B	Nelson, Burley	00-C-742
379	New E	New, Edsel (Deceased)	00-C-744
380	Newkirk S	Newkirk, Delbert (Deceased)	98-C-1699
381	Nichols Paul	Gibson, Goldie B. (Deceased)	00-C-552
382	Nickelson GW	Nickelson, Guy William (Deceased)	00-C-1280
383	Noel T	Noel, Thomas	00-C-1284
384	Noland EJ	Noland, Earl (Deceased)	00-C-745
385	O'Connor Diana	O'Connor, Donald E. (Deceased)	00-C-746
386	O'Neal L	O'Neal, Lloyd	00-C-748
387	Osborn RE	Osborn, Raymond E.	00-C-750
388	Pack DA	Pack, Dana R.	00-C-751
389	Pack RT	Pack, Rebecca Thomas (Deceased)	00-C-752
390	Painter VD	Jenkins, Rosetta L. (Deceased)	98-C-2704
391	Pannell ME	Panel, Constance (Deceased)	00-C-1291
392	Parsons ML	Parsons, Margaret	00-C-754
393	Paxton Joanne	Paxton, Roy (Deceased)	00-C-1295
394	Paynter MM	Collins, Minnie M. (Deceased)	00-C-1022
395	Peets E	Peeks, Eula	00-C-1298
396	Pelay HR	Pelay, Hazel R.	00-C-759
397	Pemberton B	Pemberton, Betty	00-C-1299
398	Perkins AF	Perkins, Ada Faye	00-C-760
399	Perkins MA	Perkins, Mary Anna (Deceased)	00-C-1304
400	Persinger C	Peringer, Carol	00-C-1308
401	Pettigrew Linda	Pettigrew, Mark T. (Deceased)	00-C-761
402	Peyton G	Peyton, Gary R.	00-C-1310
403	Phares WJ	Phares, Wilma Jean (Deceased)	00-C-762
404	Phillips CR	Phillips, Kevin R. (Deceased)	98-C-2385
405	Pickett J	Pickett, Nelson R. (Deceased)	00-C-1312
406	Plumley D	Plumley, Drenda	00-C-1313
407	Poling B	Poling, Bobby	00-C-1314
408	Porch T	Porch, Tillie V. (Deceased)	00-C-764

No.	Case Name	Smoker Name	Civil Action Number
409	Postaliwait BM	Postaliwait, Bonnie M.	00-C-765
410	Prahl JP	Prahl, Judith A. (Deceased)	00-C-767
411	Preece JW	Preece, John W.	00-C-1318
412	Price HL	Price, Howard L. Jr.	98-C-2386
413	Price Mary A	Price, Richard L. (Deceased)	00-C-768
414	Prince B	Prince, Brookie	00-C-1320
415	Prochaska W	Prochaska, Ralph A. (Deceased)	01-C-481
416	Pyles RA	Pyles, Richard A.	00-C-769
417	Quesenberry CE	Quesenberry, Carl E.	00-C-771
418	Randolph ML	Randolph, Mary L.	00-C-775
419	Ranson J	Ranson, Jerry	00-C-1325
420	Ray Larry	Ray, Larry	00-C-1328
421	Reed James	Reed, James	00-C-1474
422	Reed Robert Alan	Reed, Robert Alan (Deceased)	00-C-776
423	Rexroad R	Rexroad, Raymond	00-C-1332
424	Rexrode JC	Rexrode, Joseph (Deceased)	00-C-1333
425	Reynolds S	Reynolds, Shirley	00-C-1334
426	Riser J	Riser, Judy	00-C-1339
427	Riser R	Riser, Robert	00-C-1340
428	Ritenour D	Simmons, Carl A. (Deceased)	98-C-2389
429	Ritter G	Ritter, Gary	00-C-1342
430	Roberts P	Roberts, Paul C.	00-C-1346
431	Robertson Deborah L	Robertson, Deborah L.	00-C-783
432	Robinete L	Robinette, Lawrence	00-C-1347
433	Robinson GP	Robinson, Kenneth (Deceased)	00-C-1348
434	Rose GJ	Rose, Gerald J. Sr	98-C-2388
435	Rosencrance Gary L	Rosencrance, Faye L. (Deceased)	00-C-789
436	Russnak JR	Russnak, James Robert	00-C-1353
437	Ruthledge C	Ruthledge, Clyde B.	00-C-791
438	Sanders DA	Sanders, Kenneth (Deceased)	98-C-1796
439	Scarberry B	Scarberry, Barbara	00-C-1356
440	Scarberry Betty	Scarberry, Betty (Deceased)	00-C-793
441	Schultz O	Schultz, Otto (Deceased)	00-C-1360
442	Scott J	Scott, Jack	00-C-1359
443	Sears J	Sears, Jack	00-C-1361
444	Selbaugh LR	Selbaugh, Lewis R	00-C-1363
445	Setliff JL	Setliff, Jerry Luther	00-C-798
446	Setliff MA	Setliff, Mary Ann	00-C-1364
447	Shaffer Shelby	Shaffer, Shelby	00-C-800
448	Shamblen D	Elswick, Jack L (Deceased)	98-C-1785
449	Shamblin PA	Shamblin, Perry Allen	00-C-801

No.	Case Name	Smoker Name	Civil Action Number
450	Sharp DJ	Sharp, Dana J.	00-C-802
451	Shatley Miles S	Shatley, Miles S.	00-C-804
452	Shaver DG	Shaver, David G.	00-C-805
453	Shepard H	Sheppard, Harrison	00-C-1366
454	Shepard J	Sheppard, Joyce	00-C-1367
455	Short JA	Short, Joe A., Sr.	00-C-807
456	Shott MS	Shott, Mark S.	00-C-808
457	Shrader T	Shrader, Thomas (Deceased)	00-C-809
458	Shreve BT	Shreve, Billy T.	00-C-810
459	Shreve S	Ross, Ava Marie (Deceased)	00-C-1352
460	Simms L	Simms, Leonard	00-C-812
461	Sinecoff J	Sinecoff, Joann	00-C-814
462	Sinecoff Joanne	Furrow, Violet (Deceased)	00-C-547
463	Six DR	Six, Danny R.	00-C-816
464	Skeen JM	Holbrook, Gary C. (Deceased)	98-C-2373
465	Slater R	Slater, Regina (Deceased)	00-C-1374
466	Sloan Constance	Sloan, Constance A.	00-C-818
467	Small Deloris	Small, Deloris (Deceased)	00-C-819
468	Smith Basil E	Smith, Basil E.	00-C-823
469	Smith Billy J	Smith, Billy J.	00-C-822
470	Smith Glenna F	Smith, Charles F. (Deceased)	98-C-2390
471	Smith Jacqueline	Smith, Paul E. (Deceased)	00-C-1376
472	Smith Timothy R	Smith, Timothy R.	00-C-821
473	Sneed Blanche L	Sneed, John C. (Deceased)	00-C-825
474	Snodgrass JL	Kuhn, Robert L. (Deceased)	00-C-1478
475	Snyder Richard E	Snyder, Richard	00-C-829
476	Sopala B	Sopala, Brenda	00-C-1382
477	Sopsher C (ADM)	Tashe, Ruth V. (Deceased)	98-C-2393
478	Sorrell D	Sorrell, Donald	00-C-1383
479	Spade LE	Spade, Lesley E.	00-C-831
480	Spangler TN	Pennington, Marvin, Sr. (Deceased)	00-C-1301
481	Sparks Patricia A	Sparks, Patricia A.	00-C-833
482	Spear N	Spear, Norene (Deceased)	00-C-834
483	Speece D	Speece, Thurman O. (Deceased)	98-C-2710
484	Spring JF	Spring, Milford V. (Deceased)	00-C-835
485	Spring JF	Spring, Patricia Ann (Deceased)	00-C-836
486	St Clair M	St. Clair, Margaret	00-C-840
487	Staats BJ	Staats, Billy Joe	00-C-838
488	Stamper M	Stamper, Marie (Deceased)	00-C-1392
489	Stanley DA	Stanley, David A.	00-C-1386
490	Stanley KE	Stanley, Kenneth E. (Deceased)	00-C-1394
491	Stein CL	Stein, Charles L.	00-C-841

No.	Case Name	Smoker Name	Civil Action Number
492	Stephens Tex	Stephens, Tex	00-C-842
493	Stepp JJ	Stepp, Juanita J.	00-C-844
494	Stewart Hal	Stewart, Hal (Deceased)	00-C-847
495	Stewart Kent F	Stewart, Kent F.	00-C-848
496	Stewart Larry	Stewart, Larry (Deceased)	00-C-849
497	Stiltner P	Stiltner, Patty	00-C-1397
498	Stockton CE	Stockton, Eloise (Deceased)	98-C-2391
499	Stump J	Stump, James	00-C-1400
500	Sturgell JA	Sturgell, Julia Ann	00-C-850
501	Sublett PJ	Sublett, Patty J.	00-C-851
502	Sweeney BR	Sweeney, Billy R.	00-C-853
503	Taylor Ronald	Taylor, Ronald (Deceased)	00-C-1403
504	Terrell WS	Terrell, William S.	00-C-1404
505	Tessner GM	Tessner, Goldie M.	00-C-858
506	Testerman D	Testerman, Don	00-C-859
507	Thomas Carey L	Thomas, Carey L. (Deceased)	00-C-861
508	Thomas Donald O	Thomas, Betty Marie (Deceased)	00-C-860
509	Thomas Joy	Thomas, John Paul (Deceased)	00-C-1407
510	Thompson HJ	Thompson, Harold Joseph	00-C-1410
511	Thompson John Michael	Thompson, John Michael	00-C-863
512	Thompson Teresa B	Thompson, Carol M. (Deceased)	98-C-1798
513	Tichenor VR	Wilfong, Velma D. (Deceased)	00-C-900
514	Tiller JS	Tiller, Joe F. (Deceased)	00-C-865
515	Tipton EM	Tipton, Eddie Marlow	00-C-866
516	Toland DL	Toland, Dorothy L	00-C-867
517	Townley TR	Townley, Thomas R.	00-C-1412
518	Vance I	Vance, Jessie (Deceased)	00-C-1479
519	Vance JW	Vance, John Walter	00-C-873
520	Varney KE	Varney, Kenneth E.	00-C-874
521	Vickers CM	Vickers, Clifford M.	00-C-875
522	Vuskirk S	Vuskirk, Steve	00-C-1416
523	Wade SD	Wade, Sylvia D.	00-C-876
524	Wadell Maurice A	Wadell, Emma Lucille (Deceased)	00-C-877
525	Walker Stella	Walke, Donnie (Deceased)	00-C-1482
526	Walls D	Walls, Donald C. (Deceased)	00-C-1418
527	Walls MJ	Walls, Delmas (Deceased)	98-C-2396
528	Walls RL	Walls, Rosa Lee (Deceased)	00-C-878
529	Walls WA	Walls, William Amos (Deceased)	00-C-879
530	Ware JE	Ware, Julie F.	00-C-881
531	Washington Dorothy	Washington, Dorothy	00-C-1421

No.	Case Name	Smoker Name	Civil Action Number
532	Watkins Linda	Watkins, Claude Wayne (Deceased)	00-C-882
533	Watson S	Watson, Shannon	00-C-883
534	Wayne DA	Wayne, Charles W. (Deceased)	98-C-1799
535	Webb John L	Webb, John L.	00-C-886
536	Weese EI	Weese, Leonard J. (Deceased)	98-C-2397
537	Weidensall W	Wedensall, William	00-C-1424
538	Weikel J	Weikel, Jeanne	00-C-1425
539	Wesolowski MM	Wesolowski, Margaret (Deceased)	00-C-888
540	West AJ	West, Acie J.	00-C-889
541	West Cheryl	West, Cheryl	00-C-1426
542	Wetherholt R	Weathrholt, John (Deceased)	00-C-1428
543	Whaley E	Whaley, James O. (Deceased)	98-C-2712
544	Whitaker D	Whitaker, Delbert	100-C-1430
545	White Arlene	White, Ilean	00-C-1431
546	White BJ	White, Barbara J.	00-C-891
547	White Rodney A	White, Rodney	00-C-893
548	Whitley W	Whitley, William (Deceased)	00-C-895
549	Whytsell S	Whytsell, Shirley	00-C-1438
550	Wickline J	Wickline, Jackie J. (Deceased)	00-C-1439
551	Wileman G	Wileman, Gary	00-C-899
552	Wilkins DM	Morrow, Ruth A. (Deceased)	00-C-1255
553	Williams Beula	Williams, Floyd (Deceased)	00-C-1480
554	Williams Delores	Williams, Carroll V. (Deceased)	00-C-1442
555	Williams I	Williams, Henry (Deceased)	98-C-2713
556	Williams Scott	Williams, Scott	00-C-1446
557	Williamson Melvin	Williamson, Melvin	00-C-1447
558	Wilson ET	Wilson, Eugene T.	00-C-902
559	Winston RA	Winston, Rae Anne	00-C-1452
560	Winters J	Winters, Vernon W. (Deceased)	00-C-1453
561	Withrow Harry	Withrow, Harry (Deceased)	00-C-903
562	Withrow RW	Withrow, Lois G. (Deceased)	00-C-1457
563	Wolfe Rita	Wolfe, Rita	00-C-905
564	Wood Catherine B	Wood, Edward L. (Deceased)	00-C-906
565	Woods HR	Woods, Hansford R. (Deceased)	98-C-2401
566	Worrell A	Worrell, Roger D. (Deceased)	00-C-1461
567	Wright ED	Wright, Edwin D. (Deceased)	00-C-908
568	Wright Shirley	Wright, Shirley	00-C-1468
569	Wriston RO	Wriston, Ronnie Orville	00-C-910
570	Wyatt Lewis	Wyatt, Gladys D. (Deceased)	00-C-1470
571	Yakovsky M	Yakovsky, Violet M. (Deceased)	00-C-1472

APPENDIX B:

PLAINTIFFS WHO ALLEGE THAT THEY SMOKE VENTILATED PRODUCTS BETWEEN 1964 AND JULY 1, 1969*

No.	Case Name	Smoker Name	Civil Action Number	Ventilated Brand Alleged Between 1964-July 1, 1969	Defendant Who Manufactured the Ventilated Brand
1	Akers, N	Akers, Maurice, Jr. (deceased)	00-C-933	Doral (1948-1990)	RJR
2	Badgett, AT	Badgett, Avin T.	00-C-392	Doral (1966-1969)	RJR
3	Ball, LC	Ball, Lidburn Conrad (deceased)	00-C-398	Philip Morris (1965-1975)	PM
4	Boone, RR	Boone, James E. (deceased)	98-C-2341	Philip Morris (1956-1965)	PM
5	Brown, EK	Brown, Mary A. (deceased)	00-C-1778	Doral (1967-1972)	RJR
6	Buckley, S	Buckley, Sarah	00-C-448	Doral (1963-1966)	RJR
7	Canaday, E	Canady, Earl, Jr. (deceased)	00-C-1001	Doral (1964-2000)	RJR
8	Carmichael, NJ	Carmichael, Nellie J. (deceased)	00-C-1003	Doral (1946-2000)	RJR
9	Clay, SK	Stone, Naomi L. (deceased)	98-C-1797	Doral Lights (1962-1968)	RJR
10	Collett, JH	Collett, John H.	00-C-483	Doral (1957-2000)	RJR
11	Crabtree, D	Crabtree, Dale	00-C-1027	Doral (1963-2000)	RJR
12	Foster, Lois	Hammond, Anna Catherine	01-C-322	Philip Morris	PM
13	Gnojek, LA	Gnojek, John A.	00-C-555	Philip Morris (1940-1984)	PM
14	Harrison, Wanda	Harrison, Wanda J.	00-C-588	Parliament (undated)	PM
15	Haynes, JR	Haynes, James R.	00-C-1112	Carlson (sic) (1968-1988)	RJR
16	Lawhun, B	Frazier, Wanda (deceased)	00-C-1185	Doral (1940s-1999)	RJR
17	Lopez, Catherine	Lopez, Catherine	00-C-1187	Doral (1966-2000)	RJR
18	Lovejoy, Betty	Lovejoy, Betty	00-C-1188	Doral (1948-2000)	RJR

No.	Case Name	Smoker Name	Civil Action Number	Ventilated Brand Alleged Between 1964-July 1, 1969	Defendant Who Manufactured the Ventilated Brand
19	Mahone, L	Mahone, Lossie	00-C-1196	Carlton (1954-1964)	RJR
20	Marcum, Dessie	Marcum, Dessie	00-C-686	Doral Menthol (undated)	RJR
21	Marcum, E	Marcum, Everette	00-C-1202	Doral (undated)	RJR
22	Maynard, Dorothy	Maynard, Dorothy	00-C-1211	Doral (undated)	RJR
23	Moubray K	Moubray, Kathleen	00-C-729	Philip Morris (1969-1975)	PM
24	Potts, PJ	Potts, Patricia J.	00-C-766	Doral (1958-2000)	RJR
25	Smith, Minnie	Smith, Minnie	00-C-824	Doral (1952-1994); Philip Morris (1952-1994)	RJR and PM
26	Smith, William F	Smith, William F	00-C-1379	Philip Morris (1950-1996)	PM
27	Spencer, A	Spencer, Allen	00-C-1388	Doral (1961-2000)	RJR
28	Stevey, Jannette E	Stevey, Janette E.	00-C-846	Doral (undated)	RJR
29	Summerfield V.	Summerfield, Vauna (deceased)	00-C-852	Carlton Slims (1969-1996)	RJR
30	Thomas, Donald C	Thomas, Donald G.	00-C-917	Philip Morris (1950-1986)	PM

* Defendants point out that several of the brands allegedly smoked by plaintiffs in this group were sold with ventilated filters for only part of the designated time period. Doral was first sold with a ventilated filter on June 16, 1969, approximately two weeks before July 1, 1969. Philip Morris Multifilter 84 mm Menthols were commercially available in a ventilated form for approximately four months prior to July 1, 1969, and Parliament 100s were commercially available in a ventilated form for approximately 20 months prior to July 1, 1969. Only plaintiffs who allege that they smoked one of those brands during the period when they were available in a ventilated form would be theoretically eligible to pursue an individual compensatory damage claim. Further, Carlton Slims were not available between 1964 and July 1, 1969 and thus plaintiff Summerfield's alleged smoking of Carlton Slims would not make that plaintiff eligible to pursue the failure to instruct claim from 1964 to July 1, 1969 identified by the jury.

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EXHIBIT 1

IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

IN RE: TOBACCO LITIGATION	CIVIL ACTION NO. 00-C-5000
(INDIVIDUAL PERSONAL INJURY CASES)	Judge Arthur M. Recht

DECLARATION OF RONALD L. ERVIN
IN SUPPORT OF DEFENDANTS' MOTION FOR ENTRY OF JUDGMENT

I, Ronald L. Ervin, declare:

1. This declaration is filed in support of Defendants' Motion for Entry of Judgment on the Jury Verdict.

2. I have been employed by Lorillard Tobacco Company ("Lorillard") in various positions since August 1999. I am currently the Manager of Pilot Plant Operations, a position I have held since December 2006.

3. I earned a Bachelor of Arts degree in Chemistry in 1994 and a Masters degree in Business Administration in 2006 from the University of North Carolina - Greensboro.

4. In connection with the performance of my employment responsibilities and in preparation for expert testimony, I have reviewed historical information regarding the designs of Lorillard's cigarettes, including Lorillard's introduction of filter ventilation into the design of various brands of its cigarettes.

5. During the period from 1964 to July 1, 1969, Lorillard manufactured and sold only one brand of cigarettes with filter ventilation holes. That brand was True cigarettes. Lorillard began selling True brand cigarettes with filter ventilation holes in April 1966 and continued sale of the brand through July 1, 1969. None of the other cigarette brands manufactured and sold by Lorillard between 1964 and July 1, 1969 had filter ventilation holes.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 12th day of July, 2013, in Greensboro, North Carolina.

Ronald L. Ervin

IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

IN RE: TOBACCO LITIGATION	**CIVIL ACTION NO. 00-C-5000**
(INDIVIDUAL PERSONAL INJURY CASES)	**Judge Arthur M. Recht**

AFFIDAVIT OF RICHARD JUPE

1. This affidavit is filed in support of Defendants' Motion for Entry of Judgment on the Jury Verdict and Defendants' Motion for Judgment Notwithstanding the Verdict or, in the Alternative, for Summary Judgment on the Remaining Phase II Cases.

2. I was employed by Philip Morris USA Inc., ("PM USA") in various positions from 1995 until 2008. Since 2008, I have been employed by Altria Client Services Inc. ("ALCS")[1]. From 2002 until 2011, I was Director, Cigarette Product Development. In 2012, I was appointed to Director, Product Design & Development. Later that year, I was appointed to my current position at ALCS, Vice President, Product Design & Development.

3. I received a B.S. in Physics from Mary Washington College in Fredericksburg, Virginia in 1989.

4. I testified as an expert witness during the trial of this matter, on May 1, 2013. I was qualified and accepted as an expert in the areas of cigarette design and development. *See* 5/1/13 Trial Tr. at 1658:18-1659:9.

5. In connection with the performance of my employment responsibilities and in connection with my expert testimony, I have reviewed historical information regarding the designs of PM

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[1] ALCS is a separate, wholly owned subsidiary of Altria Group, Inc., as is PM USA. ALCS provides a range of professional services and additional support to the parent company and each of the operating companies pursuant to specific contracts or agreements.

USA's cigarettes, including PM USA's incorporation of filter ventilation. Based on my review, I have concluded:

a. During the period from January 1, 1964 to July 1, 1969, only two brands manufactured by PM USA utilized ventilated filters and were commercially-available for sale to smokers. Those brands were Philip Morris Multifilter 84 mm Menthol and Parliament 100s.

b. Neither of these products were commercially-available during the entire time period. Parliament 100s were commercially-available in a ventilated form for approximately twenty months before July 1, 1969. Philip Morris Multifilter 84 mm Menthols were commercially-available for approximately four months before July 1, 1969.

c. No other cigarette brands manufactured by PM USA were commercially-available using ventilated filters during this time period.

6. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 6th day of September, 2013, in Richmond, Virginia.

Richard Jupe

Teresa Topian Sims

TERESA TOPIAN SIMS NOTARY PUBLIC REG # 141845 MY COMMISSION EXPIRES 2/28/2014 COMMONWEALTH OF VIRGINIA

IN THE CIRCUIT COURT OF OHIO COUNTY, WEST VIRGINIA

IN RE: TOBACCO LITIGATION	**CIVIL ACTION NO. 00-C-5000**
(INDIVIDUAL PERSONAL INJURY CASES)	**Judge Arthur M. Recht**

AFFIDAVIT OF JAMES N. FIGLAR, Ph.D.

I, James N. Figlar, Ph.D., being first duly sworn, depose and say as follows:

1. This affidavit is submitted in support of Defendants' Motion for Entry of Judgment in Their Favor on the Jury's Verdict. I have personal knowledge of the facts stated herein and am competent to testify thereto if called upon to do so.

2. I am currently Vice President of Cigarette Product Development at R.J. Reynolds Tobacco Company ("Reynolds"). I am responsible for the design of all cigarette brands manufactured and sold by Reynolds.

3. From 2004 until the present, I have been employed by Reynolds in Winston-Salem, North Carolina. Prior to working at Reynolds, I was employed from 1999-2004 at Brown & Williamson Tobacco Corporation ("B&W").

4. I received a B.S. degree in Environmental Earth Science from Eastern Connecticut State University in 1989. After working for 2 years in the private sector, I entered graduate school and received a Ph.D. in Inorganic Chemistry from the University of Massachusetts in 1998. A copy of my curriculum vitae is attached as Exhibit A.

5. The American Tobacco Company ("American") was acquired by B&W in December 22, 1994, and was merged into B&W February 28, 1995.

6. By virtue of my employment and job responsibilities, I have personal knowledge of the current and historical cigarette brands manufactured and sold by Reynolds, B&W and American.

7. During the period of January 1, 1964 to July 1, 1969, the following cigarette brands were manufactured and sold with ventilated filters by Reynolds: Doral (only after June 16, 1969) and Tempo (only after August 14, 1968). Reynolds did not manufacture the Doral Lights brand style during this time period.

8. During the period of January 1, 1964 to July 1, 1969, B&W did not manufacture and sell any cigarette brands with ventilated filters.

9. During the period of January 1, 1964 to July 1, 1969, the following cigarette brands were manufactured and sold with ventilated filters by American: Carlton and Montclair. American did not manufacture the Carlton Slims brand style during this time period.

FURTHER AFFIANT SAYETH NOT.

James N. Figlar, Ph.D.

Sworn and subscribe to before me this 10th day of July 2013.

Michelle C. Tuttle
Notary Public

MICHELLE C. TUTTLE
Notary Public
Forsyth County, North Carolina
My Commission Expires: 1-20-14

My Commission Expires: January 20, 2014.