

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Civil Action No. 99-CV-2496 (GK)
)	Next scheduled court appearance: NONE
and)	
)	
TOBACCO-FREE KIDS)	
ACTION FUND, <i>et al.</i>)	
)	
Plaintiff-Intervenors)	
)	
v.)	
)	
PHILIP MORRIS USA, INC., <i>et al.</i> ,)	
)	
Defendants.)	
)	

JOINT MOTION FOR CONSENT ORDER BETWEEN THE UNITED STATES, THE PUBLIC HEALTH INTERVENORS, AND LORILLARD TOBACCO COMPANY CONCERNING DOCUMENT DISCLOSURE OBLIGATIONS UNDER ORDER #1015

By Orders dated February 25, 2011 (DN 5878) and March 24, 2011 (DN 5895), this Court referred to mediation several matters related to Defendants’ document disclosure obligations under Order #1015 (DN 5733, Aug. 17, 2006), published as *United States v. Philip Morris USA Inc.*, 449 F. Supp. 2d 1, 940-44 (D.D.C. 2006), *aff’d in part & vacated in part*, 566 F.3d 1095 (D.C. Cir. 2009) (*per curiam*), *cert. denied*, 561 U.S. ___, 130 S. Ct. 3501 (2010). Lorillard Tobacco Company (hereafter “Lorillard”) and the United States and the Public Health Intervenors (hereafter “Plaintiffs”) have successfully concluded that mediation. Subject to the Court’s approval, the attached (proposed) Consent Order resolves the issues referred for mediation, including the scope of Lorillard’s coding obligations for documents posted on its public websites maintained as a result of production in smoking and health litigation both prior to November 1, 2011, and on or after that date.

WHEREFORE, Plaintiffs and the specified Defendant respectfully ask the Court to enter the attached (proposed) Consent Order.

Dated: December 21, 2011

Respectfully submitted,

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