

Declaring War on the Tobacco Industry:
The Leadership and Legacy of *State of Minnesota v. Philip Morris*

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Research Paper
2, 494 total words

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“*The State of Minnesota v. Philip Morris* is one of the greatest public health achievements of the 20th century.” --
Former U.S. Surgeon General Dr. C. Everett Koop, 1998¹

I. Introduction

During the 1950s-1980s, American cigarette companies were sued more than 300 times by individual smokers who had been harmed by their products. The tobacco industry had never lost a lawsuit for damages, until the leadership of the plaintiffs in *The State of Minnesota v. Philip Morris*, led by Attorney General Hubert H. Humphrey III, Blue Cross Blue Shield (BCBS), and attorneys, Michael Ciresi and Roberta Walburn, forced seven tobacco companies and two tobacco trade associations to disclose documents that revealed the deadly, addictive ingredients in their products; proved that the tobacco industry lied for forty years about their knowledge of the health effects of smoking; and showed that the industry had deliberately marketed their products to children. The massive, unprecedented settlement left a legacy that will save an estimated 100 million lives by the end of the 21st century.

II. History of Lawsuits

Tobacco lawsuits prior to *State of Minnesota v. Philip Morris* can be divided into two waves, the first of which began in the early 1950s, and the second, in the late 1960s.² Both waves involved individual plaintiffs, suffering from a variety of smoking-related illnesses, suing tobacco companies. Changes in the tobacco companies’ defense made the difference between the first and second waves.

During the first wave, the tobacco companies claimed there was no medical evidence proving that smoking caused illness.³ In fact, as early as 1958, the industry’s own studies proved that smoking causes lung cancer.⁴

¹ Blanke, Doug. "State of Minnesota v. Philip Morris." - *MN150*. N.p., n.d. Web. 28 Jan. 2015.

² "Tobacco - Tobacco Litigation." - Companies, Class, Plaintiffs, and Claims. N.p., n.d. Web. 21 Jan. 2015.

³ Ciresi, Michael V., Roberta B. Walburn, and Tara D. Sutton. "Decades of Deceit: Document Discovery in the Minnesota Tobacco Litigation." *William Mitchell Law Review*. William Mitchell Law Review, 1999. Web. 26 Jan.

⁴ Document 105408490. Trial Exhibit 2241.

The second wave began after the 1966 U.S. Surgeon General's report stating that tobacco caused lung and laryngeal cancer;⁵ because of the report, Congress began to require that cigarette packages be labeled with a warning to consumers about the dangers of smoking.⁶ Because of this, the industry argued that the risks of smoking were common knowledge and that smokers knew cigarettes could harm them. Without missing a beat, they had performed an about-face, going from claiming they knew no connection between smoking and disease to stating that the dangers of smoking were common knowledge and consumers chose to smoke anyway. Because the plaintiffs were individuals, they did not have the finances needed or the ability to gather the evidence against the tobacco companies needed to win.

III. The Battle Plan

On August 17, 1994, the opening salvo was fired when *State of Minnesota v. Philip Morris* was filed in Ramsey County District Court.⁷ Plaintiffs attorneys Ciresi and Walburn had a different approach than attorneys in previous tobacco lawsuits. Prior lawsuits had focused on seeking a financial settlement. Ciresi and Walburn's top priority was uncovering tobacco company documents that would prove that the industry was deliberately marketing to children, and had lied for years about not knowing their products were harmful.⁸ Ciresi and Walburn spent years studying the unsuccessful lawsuits, all of which had individuals as plaintiffs, before deciding to take on the tobacco industry from a public health perspective.⁹ One of their major strategies was to argue that the State of Minnesota, which bore the costs of the uninsured and those insured by the state, and BCBS, on behalf of its insureds, had been harmed because of the huge public health costs incurred by treating people harmed by tobacco. Because smoking harms nearly every organ in the body, the health care costs are enormous -- in Minnesota alone, they currently reach nearly \$3 billion each year.¹⁰ There is no safe cigarette, and the deadliness of

⁵ "History of the Surgeon General's Reports on Smoking and Health." *Centers for Disease Control and Prevention*. Centers for Disease Control and Prevention, 06 July 2009. Web. 24 Feb. 2015. <http://www.cdc.gov/tobacco/data_statistics/sgr/history/>.

⁶ Wilson, Duff. "U.S. Releases Graphic Images to Deter Smokers." *The New York Times*. The New York Times, 21 June 2011. Web. 20 Feb. 2015. <http://www.nytimes.com/2011/06/22/health/policy/22smoke.html?_r=1&>.

⁷ *Ibid.*

⁸ Blanke, Doug. Audio blog post. *Surgeon General.gov*. N.p., n.d. Web. 1 Feb. 2015.

⁹ Walburn, Roberta. Phone interview. Feb. 9. 2015.

¹⁰ ClearWay Minnesota. *Still A Problem*. N.p., n.d. Web. 08 Feb. 2015.

tobacco is compounded by its addictiveness. Ciresi and Walburn wanted to use those facts to explain why tobacco companies imposed a burden on society.

By the time *Minnesota v. Philip Morris* went to court, other states were also pursuing settlements with the tobacco companies.¹¹ While other states were focused on getting the largest financial settlement possible, the Minnesota plaintiffs were mainly focused on uncovering documents that would reveal the truth about what (and when) the tobacco industry knew about the harm caused by smoking and their marketing of products to children.¹² Ciresi and Walburn believed that the industry must have files that detailed their targeting of children and proving that the industry knew for many years what it had strongly denied: the deadliness of its products.¹³

IV. Other Opposition

When the plaintiffs asked for the release of documents, the tobacco companies fought hard to keep from disclosing their files. The Honorable Kenneth Fitzpatrick, the judge in *State of Minnesota v. Philip Morris*, ordered that the documents be released to the plaintiffs.¹⁴ At the same time, other states were pursuing financial settlements, and the industry was panicked. They offered the states billions of dollars to drop the lawsuits -- without releasing documents.¹⁵ The Minnesota plaintiffs, however, refused to accept this because their primary concern was public health, not money.

Minnesota proved its leadership on the public health front as the lone holdout among the 47 states pursuing settlements from the tobacco companies.¹⁶ Other states wanted the early financial settlement, and were unhappy that Minnesota refused the settlement.

There were troubles within Minnesota government, too. Though Minnesota Attorney General Humphrey represented the state in the lawsuit, Governor Arne Carlson had been in favor of settling with the other states. "He told us we were crazy to turn down all that money," said

¹¹ *Ibid.*

¹² Ciresi, Michael. In person interview. Feb. 11. 2015

¹³ *Ibid.*

¹⁴ *Ibid.*

¹⁵ Humphrey III, Hubert H. Phone interview. Jan. 16. 2015.

¹⁶ *Ibid.*

Michael Ciresi.¹⁷ But in Minnesota the Attorney General's office is independent of the Governor, so Attorney General Hubert H. Humphrey III was able to proceed.

Some Minnesota state legislators opposed the lawsuit. Fortunately for the plaintiffs, BCBS, a healthcare company, had the resources to cover some of the case's upfront costs. The Attorney General's office didn't have the funding for the lawsuit, and without BCBS' ability to finance the lawsuit, Humphrey would have had to ask the legislature for an appropriation. Of course, it would have been difficult to gain an appropriation with opposition from Governor and some legislators.

V. The Fight for Documents

The defendants did everything possible not to have to produce their documents. According to Ciresi and Walburn, industry lawyers played endless word games, pretending not to know the meanings of "smoking and health," "addictive," or even "the properties and effects... of nicotine."¹⁸ Here is a typical response to the request for documents:

*"Brown & Williamson objects to the plaintiffs' definition of the term, 'smoking and health' on the grounds that it is overly broad, unduly burdensome, vague and ambiguous, and is not reasonably calculated to lead to the discovery of admissible evidence. For example, it purports to include all effects which are 'potentially or possible effects of nicotine.' The definition is further objectionable on the grounds that it is overly broad as it includes any alleged 'property or effect' of nicotine, regardless of whether related to health."*¹⁹

Another challenge faced was even if they got the documents -- millions of them! -- how could the plaintiffs sort through the many boxes of random documents? The tobacco companies

¹⁷ *Ibid.*

¹⁸ Ciresi, Michael V., Roberta B. Walburn, and Tara D. Sutton. "Decades of Deceit: Document Discovery in the Minnesota Tobacco Litigation." *William Mitchell Law Review*. William Mitchell Law Review, 1999. Web. 26 Jan. 2015.

¹⁹ *Ibid.*

employed more than a thousand full-time lawyers; the plaintiffs had only eight to twelve lawyers working on the case at any given time.²⁰

Ciresi and Walburn believed that the tobacco companies, having defended lawsuits for over forty years, had to have a way to organize their documents. They asked Judge Fitzpatrick to order the companies to hand over any document indices they possessed. The judge so ordered -- but the tobacco companies resisted. “Week after week, I called their lawyers and said, ‘Give us your indices,’” said Roberta Walburn. “Each time, they said, ‘We have no indices.’”²¹ But Walburn and Ciresi did not believe this, and they kept pushing.

Ciresi and Walburn knew that tobacco document indices were key to making the documents useful. President Clinton agreed, stating, “The industry’s road map to its own documents could improve significantly the ability of public health experts, scientists, state and federal officials, and the public to search through industry documents.”²² Practically speaking, without indices to keep the documents organized, it would have taken five attorneys, working twelve hours each per day, five days per week, and spending only one minute per page, nine years to review all of the thirty-five million documents.²³

At a meeting with dozens of tobacco industry lawyers, Walburn asked again for indices. “They said, ‘You sound like a broken record. How many times do we have to tell you? We don’t have any indices.’ But there was one [industry lawyer], sitting at the back, smirking. I asked what was so funny. He answered, ‘We don’t have indices, we have databases.’”²⁴ The cat was out of the bag. Call them indices or databases, the tobacco companies did have a way to organize their documents. The industry first started to organize their documents in the 1980s.²⁵ The databases were used to provide specific documents on topics like smoking and health.

²⁰ *Ibid.*

²¹ *Ibid.*

²² *Ibid.*

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

The document battle took sixteen months. There were eight orders from Judge Fitzpatrick, countless appeals, and a petition to the Supreme Court.²⁶ The defendants failed, and the plaintiffs got the indices – next, they used them to prove their case.

VI. What the Documents Proved

“The never-before-seen documents... revealed what the tobacco companies knew, when they knew it, and how they conspired to cover up and fraudulently mislead the public.”

-- Plaintiff's Attorney Michael Ciresi, 1998²⁷

For decades the tobacco industry denied the deadliness of their products. But the documents obtained by the Minnesota plaintiffs proved that the industry had known for more than forty years, during which time they claimed cigarettes were harmless, that smoking was deadly.²⁸ Today we know that health complications from tobacco kill an estimated five million people each year.²⁹

The documents revealed that the industry had consulted with a number of doctors about the health effects of smoking; every doctor believed smoking did cause cancer and other diseases, with one exception.³⁰ [See Appendix A] This was in 1958, yet the industry kept claiming that cigarettes were not harmful. When the tobacco companies got the results, they planned to burn the documents. Philip Morris research scientist Thomas Osdene wrote a letter directing that these and other incriminating documents be shipped either to his home or to the company's research facility in Cologne, Germany, to be destroyed.³¹ [See Appendix B] Under oath, Osdene had invoked the Fifth Amendment, which protects against self-incrimination, an amazing 137 times.³²

Industry documents proved that although the industry knew cigarettes were deadly, their primary concern was increasing sales. Industry scientists manipulated nicotine using ammonia to

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ "Tobacco Control." *Public Health Law Center*. N.p., n.d. Web. 5 Feb. 2015.

³⁰ Document 105408490. Trial Exhibit 2241.

³¹ Document 0000130803. Trial Exhibit 10, 259.

³² *Ibid.*

enhance quick absorption into the body, making it more addictive.³³ [See Appendix C] The documents also laid out the industry's intent to market to children. For decades, Philip Morris spent more than \$5.6 billion each year to market to children.³⁴ The tobacco industry caught kids' attention with cartoons like Joe Camel, which looked similar to the cartoons displayed on children's TV shows. The Marlboro Man and other images made smoking look attractive by showing young, beautiful, healthy people.³⁵ Consequently, 2,000 children became Marlboro smokers every day; an estimated thirty percent of them would grow up and die prematurely due to smoking cigarettes.³⁶

According to a Philip Morris document, "Marlboro's phenomenal growth rate in the past has been attributable in large part to our high market penetration among young smokers . . . 15 to 19 years old . . . my own data, which includes younger teenagers, shows even higher Marlboro market penetration among 15-17- year-olds."³⁷ Philip Morris also said, "Today's teenager is tomorrow's potential regular customer."³⁸ It could not have been plainer that the tobacco industry deliberately set out to market to teens; it is easy to understand why the industry fought hard to suppress this evidence. Ciresi and Walburn had been proven right.

VII. The Surrender

"Today, the tobacco industry has surrendered, and they have surrendered on our terms-- groundbreaking terms that will expose the full truth to the public, recover record amounts for taxpayers, impose tough reforms on the industry and, most important, protect future generations of children." -- Minnesota Attorney General Hubert H. Humphrey III, 1998³⁹

³³ Document 51122. Trial Exhibit 3470.

³⁴ "Philip Morris and Targeting Kids." *Tobacco Control* (n.d.): n. pag. *Campaign for Tobacco-Free Kids*. 8 Oct. 1999. Web. 21 Jan. 2015.

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ *Ibid.*

³⁸ *Ibid.*

³⁹ *Ibid.*

On May 8, 1998, the four-year lawsuit finally ended.⁴⁰ Just as the jury was to begin deliberations, Philip Morris wanted to settle, and they settled on Minnesota's terms. *State of Minnesota v. Philip Morris* was the first lawsuit to ever win against a tobacco company. It is the largest settlement in Minnesota history, standing as the fourth largest legal settlement, anywhere.⁴¹ The case had taken four years, with hundreds of legal motions and dozens of appeals, including two at the Supreme Court.⁴²

The State of Minnesota received \$6.17 billion over the first 25 years, and approximately \$200 million each year, forever.⁴³ Blue Cross and Blue Shield of Minnesota received \$469 million. The tobacco industry was banned from distributing promotional items targeting young potential smokers -- containing tobacco brands or logos.⁴⁴ The tobacco industry was prohibited from misrepresenting the health effects of any tobacco product. Additionally, the settlement ended tobacco billboards and bus advertising; set aside \$200 million dollars to help smokers quit; and most importantly, required the tobacco companies to make public the thirty-five million pages of the documents -- and to maintain them in public document depositories.⁴⁵

VIII. Winning the War

The legacy of the 1998 trial continues far beyond Minnesota. The documents unearthed during the lawsuit have been widely distributed and used to develop tobacco-control policies by international governments and groups, including the World Health Organization. In 2005, the World Health Organization's Framework Convention on Tobacco Control used Minnesota documents to develop the first treaty, ratified by 168 countries, that bans tobacco sales to underaged children.⁴⁶ The *U.S. v Philip Morris* lawsuit, which found the tobacco companies guilty of racketeering under the federal RICO laws, is just one of the lawsuits to use the Minnesota documents. ClearWay Minnesota is part of the legacy of *State of Minnesota v. Philip*

⁴⁰ Weinstein, Henry. "Big Tobacco Settles Minnesota Lawsuit for \$6.6 Billion." *Los Angeles Times*. Los Angeles Times, 09 May 1998. Web. 27 Jan. 2015.

⁴¹ *Ibid.*

⁴² *Ibid.*

⁴³ Loehrke, Elisabeth. "Minnesota's Tobacco Settlement." (2002): n. pag. Web.

⁴⁴ Humphrey III, Hubert H., and Blue Cross and Blue Shield of Minnesota. "Settlement Agreement and Stipulation For Entry of Consent Judgement." *Settlement Agreement and Stipulation For Entry of Consent Judgment (May 8, 1998)* (n.d.): 1-41. *Public Health Law Center*. 1994 Web. 23 Jan. 2015.

⁴⁵ *Ibid.*

⁴⁶ "Parties to the WHO Framework Convention on Tobacco Control." *WHO*. N.p., n.d. Web. 26 Feb. 2015.

Morris. Created as a result of the settlement, ClearWay uses three percent of the settlement funds to provide tobacco research and projects throughout Minnesota, and through its QuitPlan services, helps thousands of Minnesotans quit smoking each year by providing support, counseling and medication.⁴⁷

The most important legacy of *State of Minnesota v. Philip Morris* is the thirty-five million pages of internal documents uncovered and opened to the public. [See Appendix D] According to the National Institutes for Health: “No other comparable dynamic, voluminous, and contemporaneous document archive exists... the use of these documents in furthering public health goals based in science, policy, and litigation—the three fronts on which the tobacco industry had successfully escaped accountability for decades—has been nothing short of astounding. The Minnesota tobacco trial changed the tobacco control landscape forever.”⁴⁸

The leadership of the plaintiffs and lawyers in *State of Minnesota v. Philip Morris* led to a legacy of an estimated 100 million lives saved by the end of the 21st century, exposed the truth about the tobacco industry and its deadly products, and forever impacted the marketing, sale and use of tobacco around the world.

⁴⁷ "Clearway Minnesota." *ClearWay Minnesota*. N.p., n.d. Web. 26 Feb. 2015.

⁴⁸ Hurt, Richard D., Jon O. Ebbert, Monique E. Muggli, Nikki J. Lockhart, and Channing R. Robertson. "Open Doorway to Truth: Legacy of the Minnesota Tobacco Trial." *Mayo Clinic Proceedings*. Mayo Foundation for Medical Education and Research, May 2009. Web. 20 Feb. 2015.

ITINERARY

April 17th	American Tobacco Co., Richmond	Mr. H. B. Harmer Dr. T. C. Harlan Mr. E. S. Harlow
" 18th	Medical College of Virginia, Richmond	Prof. P. S. Larson Prof. H. B. Haag
" 22nd	Duke University, Durham	Prof. F. Bernheim
" 23rd	Liggett & Myers, Durham	Dr. F. R. Darkie Dr. T. T. Dates
" 24th	Philip Morris, Richmond	Mr. A. E. O'Keefe Mr. R. B. Seligman
" 25th	A. D. Little, Inc. Cambridge.	Mr. L. W. Bass Dr. C. J. Kanalar
" 28th	T.I.R.C., New York.	Mr. W. T. Hoyt Mr. Carl Thomson (Mill & Knowlton)
" 29th-30th	Roswell Park Memorial Institute, Buffalo	Mr. F. C. Bock
" 29th	Yale University, New Haven	Dr. H. S. N. Greene
" 30th	Biological Research Institute, Inc., Cambridge.	Dr. F. Homburger
May 1st-2nd	Roscoe Jackson Laboratory, Bar Harbor	Dr. W. S. Murray Dr. Murphy Dr. Gwynn
" 5th	Industry Technical Committee of T.I.R.C., Richmond	Mr. H. R. Harmer, Chairman Mr. W. T. Hoyt Dr. R. C. Hockett
" 6th	National Cancer Institute, Bethesda.	Dr. G. B. Mider Dr. M. J. Sharr Dr. H. B. Andervont Dr. W. C. Hueper Dr. H. L. Stewart
" 7th	Johns Hopkins Hospital, Baltimore	Dr. George Gey
" 8th	New York University, New York.	Dr. A. Kosak
" 8th	T.I.R.C. New York.	Dr. C. C. Little Dr. R. C. Hockett
" 9th	Sloan-Kettering Institute, New York.	Dr. E. L. Wynder Dr. J. Spranger
" 10th	T.I.R.C., New York.	Scientific Advisory Board of T.I.R.C.
" 12th	Montreal	Dr. G. Wright (University of Toronto)

BAT CO LTD - MINNESOTA TOBACCO LITIGATION

105408491

Doctor report, whether they think smoking causes disease or illness.
Appendix B:

- ① Ship all documents to Cologne by 1st
- ② Keep in Cologne ✓
- ③ OK to phone & telex (these will be destroyed). ^{present}
- ④ Please make available file cabinet
Jim will put into shape end
of August or beginning Sept.
- ⑤ We will monitor in person every 2-3
months.
- ⑥ If important letters ^{needed} have to be sent
please send to home - I will get
on them & destroy ✓
- ⑦ Advise Rylander - when writing as 2nd BIP ✓
- ⑧ Can OH, RR & TSO meet in
July in Cologne to discuss ^{- 14 2nd week} July

5th Amendment (126 x) 0000130803
Chief Scientist

Hide/destroy

TRIAL EXHIBIT
10,259

Hand written letter by Thomas Osdene, chief Philip Morris scientist.

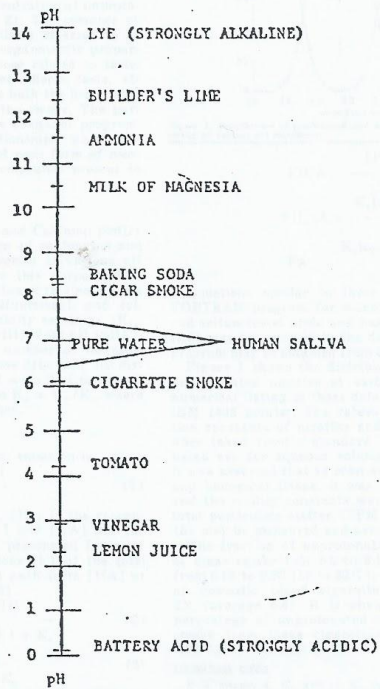
Appendix C:

- 6 -

CHART I

pH CONCEPT AND SCALE

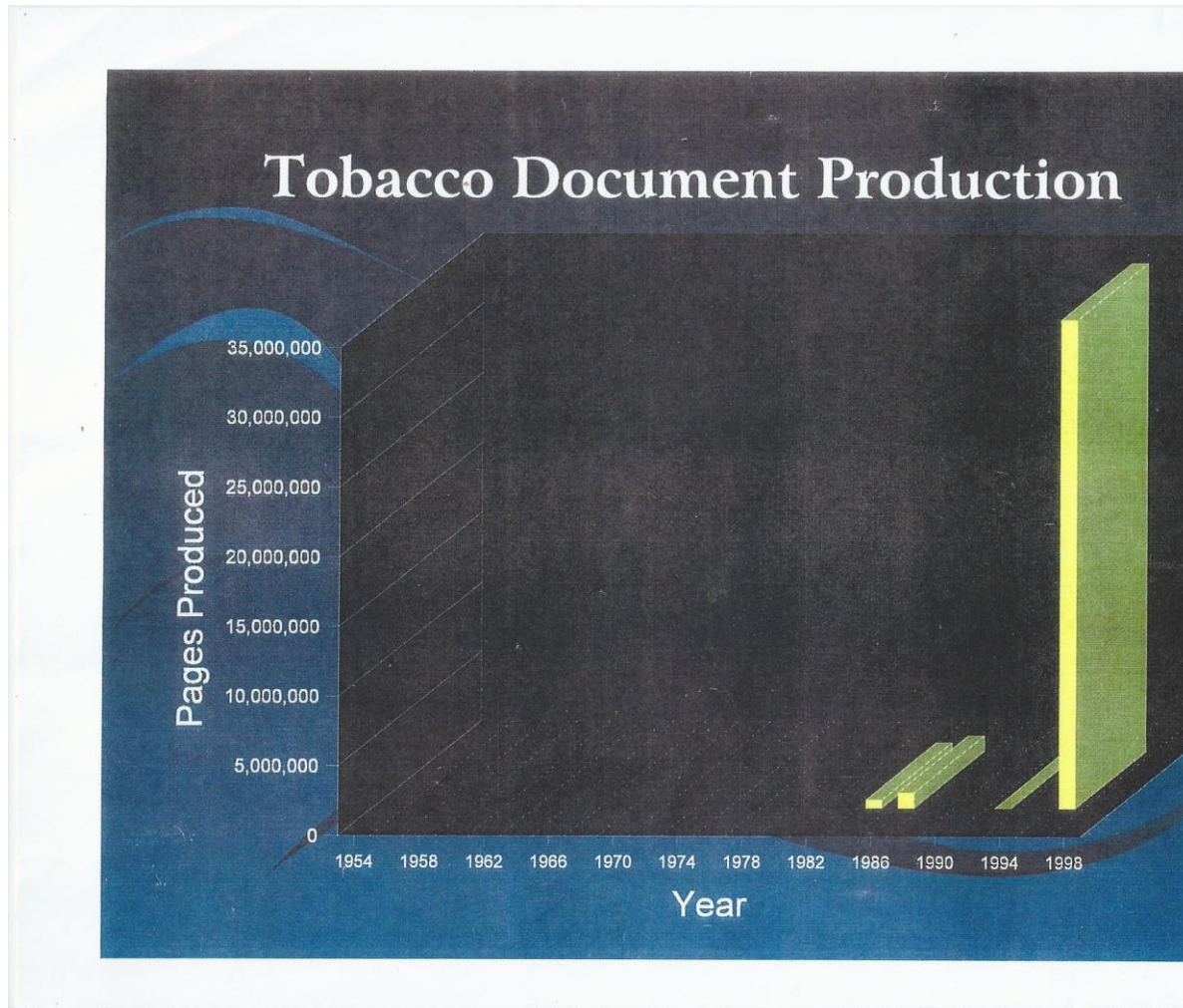
DEFINITION: pH IS A MEANS FOR EXPRESSING, ON A 0-14 SCALE, THE DEGREE OF ACIDITY OR ALKALINITY OF A SYSTEM.



51122 3470

PH scale.

Appendix D:



Scale of *Minnesota v. Philip Morris* documents uncovered compared to past lawsuits.

Bibliography

Primary Sources

Blanke, Doug. Audio blog post. *Surgeon General.gov*. N.p., n.d. Web. 1 Feb. 2015. <<http://www.surgeongeneral.gov/initiatives/tobacco/sgr50th-blanke-podcast.mp3>>.

I learned from this podcast of Doug Blanke (Director, Public Health Law Center) that Minnesota wasn't focusing on how tobacco harms your health, instead they focused on uncovering the secret documents that proved they knew nicotine was very addictive and that tobacco companies marketed to kids.

Blanke, Doug. "Minnesota Litigation and Settlement." *Minnesota Litigation and Settlement*. N.p., 8 May 2008. Web. 31 Jan. 2015. <<http://publichealthlawcenter.org/topics/tobacco-control/tobacco-control-litigation/minnesota-litigation-and-settlement>>.

This short overview of the litigation and settlement by Doug Blanke, assistant attorney general & chair from Robins, Kaplan, Miller, and Ciresi, gave me insight into the entire Minnesota v. Philip Morris case. It provided many facts, such as the 35 million documents.

Blanke, Doug. "State of Minnesota v. Philip Morris." - *MN150*. N.p., n.d. Web. 28 Jan. 2015. <http://discovery.mnhs.org/MN150/index.php?title=State_of_Minnesota_v._Philip_Morris>.

This was the first website I read from the Minnesota Historical Society and it gave me a great start and understanding of my topic. It was detailed and it helped me immensely with my thesis.

Ciresi, Michael. In-person interview. Feb. 11. 2015

Interviewing Michael Ciresi really helped my paper come alive. He gave me quotes to add in, he told the whole story in detail and from his point of view. Most of the information I gained from him was not available elsewhere.

Ciresi, Michael V., Roberta B. Walburn, and Tara D. Sutton. "Decades of Deceit: Document Discovery in the Minnesota Tobacco Litigation." *William Mitchell Law Review*. William Mitchell Law Review, 1999. Web. 26 Jan. 2015. <<http://open.wmitchell.edu/cgi/viewcontent.cgi?article=1910&context=wmlr>>.

I learned a lot from this Primary source PDF. I learned about the first two waves of tobacco lawsuits and how they failed. And then, how Minnesota prevailed and was the first. It also provided me with quotes from the leaders Ciresi, Walburn, and Humphrey. It just gave me so much information and it was amazing.

Humphrey III, Hubert H. Phone interview. Jan. 16. 2015

Interviewing Attorney General Hubert Humphrey gave me a clear look at his perspective and I learned about the government complications, not just what happened in court with Ciresi and Walburn.

Humphrey III, Hubert H., and Blue Cross and Blue Shield of Minnesota. "Settlement Agreement and Stipulation For Entry of Consent Judgement." *Settlement Agreement and Stipulation For Entry of Consent Judgment (May 8, 1998)* (n.d.): 1-41. Public Health Law Center. 1994 Web. 23 Jan. 2015. <<http://publichealthlawcenter.org/sites/default/files/resources/mn-settlement-agreement.pdf>>.

I learned from this PDF whom the plaintiffs and defendants were. It also helped me understand the settlement terms as well.

Plaintiff's Document 51122. Trial Exhibit 3470.

This document was labeled secret by the tobacco industry. It contains many charts and graphs of the sales of specific brands of cigarettes and levels of ammonia in cigarettes. The graphs showed the increased level of PH in Philip Morris, and compared it the sale numbers to other brands, the results, consumers were addicted and could not stop buying Philip Morris.

Plaintiff's document 0000130803. Trial Exhibit 10, 259.

This document was one of the 35 million documents uncovered. I got it from Michael Ciresi and it's the letter that written by the chief scientist, Thomas Osdene. In the letter, Osdene orders the documents to be sent to the secret document facility in Cologne, Germany or to get burned.

Plaintiff's Document 105408490. Trial Exhibit 2241.

This document was a doctor survey collecting various doctor's opinions on whether they thought smoking caused illness. Every single doctor believed that was true, except for one.

Walburn, Roberta. Phone interview. Feb. 9. 2015.

Interviewing Roberta Walburn, second in command to attorney Michael Ciresi, was very helpful. She went into great detail about how they uncovered the tobacco industries indices for their documents and how each player in the lawsuit was important and what their role was. She also sent me key documents from the tobacco industry.

Bibliography

Secondary Sources

"Big Surprise: Tobacco Company Prevention Campaigns Don't Work: Maybe It's Because They Are Not Supposed To." (n.d.): 1-6. *Campaign for Tobacco-Free Kids*. Web. 31 Jan. 2015. <<http://www.tobaccofreekids.org/research/factsheets/pdf/0302.pdf>>

This article from the Campaign for Tobacco-Free Kids provided me information on their effective ads, sponsored by Philip Morris that are supposed to help kids quit, but instead, the tobacco company used it to improve their public image. It helps me get a good understanding on how and why they do it and what other people think of it.

"Clearway Minnesota." *ClearWay Minnesota*. N.p., n.d. Web. 26 Feb. 2015. <<http://clearwaymn.org/>>.

ClearWay Minnesota is an organization that helps smokers quit using their QuitPlan Service. I mentioned this in my paper and that they get 3% of the settlement money.

ClearWay Minnesota. *Still A Problem*. N.p., n.d. Web. 08 Feb. 2015. <<http://www.stillaproblem.com/>>.

Still a Problem is organized by ClearWay Minnesota and explains the problems and how far Minnesota has come with the issue of smoking and health care but we can still do more. I learned lots of facts on just how much even secondhand smoking can do and much more.

"History of the Surgeon General's Reports on Smoking and Health." *Centers for Disease Control and Prevention*. Centers for Disease Control and Prevention, 06 July 2009. Web. 24 Feb. 2015. <http://www.cdc.gov/tobacco/data_statistics/sgr/history/>.

This article helped me prove and understand the diseases, specifically types of cancer, caused by smoking.

"Home - Philip Morris USA." *Home - Philip Morris USA*. N.p., 1999. Web. 28 Jan. 2015. <<http://www.philipmorrisusa.com/en/cms/Home/default.aspx>>.

Philip Morris's website helped me because it proved what I said in my thesis. How after the settlement, Philip Morris wasn't allowed to advertise to kids and had to include all the dangers, health issues, and addictiveness in their products. It also had tons information on the settlement and other related details. It also included links to their public document site.

Hurt, Richard D., Jon O. Ebbert, Monique E. Muggli, Nikki J. Lockhart, and Channing R. Robertson. "Open Doorway to Truth: Legacy of the Minnesota Tobacco Trial." *Mayo Clinic Proceedings*. Mayo Foundation for Medical Education and Research, May 2009. Web. 20 Feb. 2015. <<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2676127/>>.

This gave me an incredible quote that tied up my whole paper. It also helped me get an added understanding just how significant and enormous, "State of Minnesota v. Philip Morris" really was.

Loehrke, Elisabeth. "Minnesota's Tobacco Settlement." (2002): n. pag. Web. <<http://www.house.leg.state.mn.us/hrd/pubs/ss/sstobstl.pdf>>

This PDF summarized the financial part of the Minnesota tobacco settlement. It helped me within my paper get the huge amount fines in the settlement precise.

"Parties to the WHO Framework Convention on Tobacco Control." *WHO*. N.p., n.d. Web. 26 Feb. 2015. <http://www.who.int/fctc/signatories_parties/en/>.

This sight informed me of the significant impact of the World Health Organization's treaty created after Minnesota v. Philip Morris.

Phelps, David. "After 10 Years, Smoke Clears on State's Tobacco Lawsuit." *Star Tribune*. N.p., 26 Jan. 2008. Web. 13 Jan. 2015. <<http://www.startribune.com/business/14424046.html>>.

This Startribune article gave me lots of precise numbers and percents on the amount of smoking and money. It covered a lot of what happened after the settlement. For example, the amount of money involved.

"Philip Morris and Targeting Kids." *Tobacco Control* (n.d.): n. pag. Campaign for Tobacco-Free Kids. 8 Oct. 1999. Web. 21 Jan. 2015. <<http://www.tobaccofreekids.org/research/factsheets/pdf/philipmorris.pdf>>.

This PDF from the Campaign for Tobacco-Free Kids wasn't really about the case itself, it was about Philip Morris and what they did to target kids and what they still do. It listed many quotes and statements from actual Philip Morris workers that proved they were purposely advertising to kids and that they have done very thorough research on kids behaviors. It also gave lots of research numbers like how much money they spend on ads and such.

"United States v. Philip Morris (D.O.J. Lawsuit)." *United States v. Philip Morris (D.O.J. Lawsuit)*. Public Health Law Center, n.d. Web. 25 Feb. 2015. <<http://publichealthlawcenter.org/topics/tobacco-control/tobacco-control-litigation/united-states-v-philip-morris-doj-lawsuit>>.

This article helped me write my paragraph on how the documents will help future lawsuits. Example, like United States v. Philip Morris won with help from the documents uncovered.

"Tobacco Control." *Public Health Law Center*. N.p., n.d. Web. 5 Feb. 2015. <<http://publichealthlawcenter.org/topics/tobacco-control>>.

This article taught me the significant legacy of State of Minnesota v. Philip Morris and how many lives were saved.

"Tobacco - Tobacco Litigation." - Companies, Class, Plaintiffs, and Claims. N.p., n.d. Web. 21 Jan. 2015. <<http://law.jrank.org/pages/10805/Tobacco-Tobacco-Litigation.html>>.

This gave lots of information on past tobacco lawsuits and how they failed, then stated why Minnesota succeeded and how. It also had lots of sources and further readings.

Weinstein, Henry. "Big Tobacco Settles Minnesota Lawsuit for \$6.6 Billion." *Los Angeles Times*. Los Angeles Times, 09 May 1998. Web. 27 Jan. 2015. <<http://articles.latimes.com/1998/may/09/news/mn-47882>>.

From this article, I learned some of the terms to the Master Settlement Agreement (MSA). This helped me write the section on "The Surrender".

Wilson, Duff. "U.S. Releases Graphic Images to Deter Smokers." *The New York Times*. The New York Times, 21 June 2011. Web. 20 Feb. 2015. <http://www.nytimes.com/2011/06/22/health/policy/22smoke.html?_r=1&>.

This was a helpful article that helped me write about the dangers of smoking and tobacco.