Committee of Counsel
Wed 5/15/85
Offices of TI

Rm.	Holtzman (Chairman)	Philip Morris
	Bring	Amdel & Porter
	Nathrop	S, H & B
	Tenko	C & B
	Jones	Lgt
	Decker	W & S
	Cohen	W & S
	Long	Lgt
	Dinnagen	J, M & F
	Rapp	C & B
	Chang	Lor
	Stevens	Lor
	Shim	S, H & B
	Witt	RJR
	Strough	J, D
	Weber	J, D
	Hall	S, H & B
	Benjamin	C, P
	Tepper	B & W
	Chamfeld	Pen
	Neuman	Pen
	Speight	A, P
	Henderson	RJR Industries
	Donahue	W, C
	Kenn Hill	W, C
	Sinridge	S, H & B
	Sachs	B & W

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I. : Report by National Litigation Counsel

1) Jones, Day representation of RJR:

Report by Nestinger & by John Strange of Jones, Day. Formal termination of Manville representation, before accepting employment arrangement w/ RJR. Allowed to representation of National Gypsum; will not represent RJR in any litigation where Austin is involved — whether a party or not. Withdrawn from representation of National Gypsum "in Austin cases" —

Decision: Jones, Day acceptable to other counsel under the circumstances now obtaining following steps taken by Jones, Day to terminate all engagements for representation of Austin Companies.

2) Report on Witnesses : Report by Shinn

Pathologist
Fisher
Platt
Shaw
Sammons
Gould
Carston

Thoracic Surgeons
Langston
Barker
Lester Bryant
Mark Dillon

Addiction
Mott (Dexter)
Ted Blum
Kuehlen
Freudenberger
Lewis...

General Surgeon
Jack Davis
Earl Pierce
Carl Jones

Bio Statistician
Kooper
Emmi Miller
Gene Gibbons
Carl Silver
Hubert Solomon

Toxicologist
Arthur Frost
Schlesinger SCHRAUZER
Salem

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Seema
Hagerstown
Cardio Vascular
Kornman
Musch
Noble
~~[illegible]~~ Goslin
Oncology
Roger Birk
Frank Smith
Immunologist
LaBrie

a) Report by Pat Sinridge as to witness preparation in Cipollone.
b) Report by Murray Bring as to industry taking initiative for 3rd party discovery.
c) Report by Tom Bergmann as to Flynn — Scheduled to go to trial in Jan. of 1986.

d) Q of industry retaining Public Relations firm or individual.

→ (i) Gershon Kachs : experienced in take-over area, but none in the product-liability area. Neither Frank Newman nor Mathrop familiarized.
→ (ii) Tom Scanlon : good — involved in the CBS litigation. No conflict.
(iii) Shaia Tate — not promising. Involved with alcohol.

→ Bill Mathrop would like to "work" the efforts and abilities of these 2 individuals.
An interim report — & Mathrop thinks we should look further.

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II. General Counsel Agenda

1) Ingredients – Tenko reports; he now has in hand a list of ingredients from each of the 6 companies.

** → Q to Lyt: do we have the identity of the chemicals in each of the flavorants? If not, we need to get such from the flavorant manufacturers.

** Then get to Tenko a "chemical list".

** Then get to Tenko our representatives –
- one lawyer
- one scientist

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2) Rotary Waring Label: Rupp reports. Rupp, et al, have met w/ Chmn. James Miller of FTC. Since meeting w/ Miller, Rupp has had Collier (former examiner of FTC: Calvin J. Collier) write to Miller; also, Rep. Howell Heflin and Rep. James T. Broyhill have written to Miller. Rupp thinks we have done, at present, everything that can be done.

Full-back alternative plans have been prepared by DM & American.

Dingall & Waxman? wrong contacts with both of these individuals, – by Cuello and others. 2 reasons for their intransigence:
(i) FTC jurisdictional issue, +
(ii) Dislike for tobacco.

Cuello has supported us – but Tip O'Neil will not try to prevail on Waxman. Q wait with Miller for the decision.

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Quo: positive aspect: Waxman has received no support from others - eg: he stands alone with his letter to Chairman Miller.

3) Product Liability Bill: Kastenbill 5.100
- Scheduled for mark-up tomorrow - 5.15.85 - but such may be delayed. Some amendments have been proposed - one which could arguably include ETS - the second dealing with Compensation.
Report by Bob Lewis. Lewis is coming product liability legislative group (Decker is a member) w/i 2 weeks.

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4) Federal Legislative & Regulatory Development. Report by Bob Lewis; industry has prevailed in tabling both the Bradley & Lewis amendments.
Lewis speaks briefly to Q of funding the Self-Extinguishing Ho/Study Committee.

5) State Legislative Report by Roger Mozingo.
→ See written report distributed by Mozingo.

6) ETS Report: Report by Hoel.
*[Note: I am advised Hoel that it will NOT participate in any of the special projects (except Dr. Bick - witness development) because it cannot.]

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(5)

√ Sun and inses Hall as follows:

1) Liggett contribution to Special account No. 4 remains at $80k/yr. Liggett approves of any particular use of Liggett's contribution to account as Hall's group pages.

2) As to all other special project, Liggett will not participate, except on an ad hoc basis of special exceptions.
Exception to date: Dr. Bick.

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* Monday Meeting at C, & B – 10 A.M.
Main Conf. Room – 11th floor.

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