

ATTORNEY/CLIENT
PRIVILEGED AND CONFIDENTIAL

**LIST OF CATEGORIES OF DOCUMENTS PRODUCED DIRECTLY
TO THE PLAINTIFFS IN THE MINNESOTA ACTION
AND WHICH ARE NOT PART OF THE PRODUCTION
IN THE MINNESOTA DEPOSITORY**

1. The 4(a) Indices. The 4(a) indices subject to the Minnesota court's order.
2. Category II Documents. All documents subject to a Category II designation pursuant to the Minnesota protective order have been produced outside the Minnesota Depository. These product formula documents contain highly confidential and protected trade secret information and are subject to numerous restrictions in the Minnesota action.
3. Database and Select Indices. The C.FILE.C index in hard copy and electronic form have been provided to the Minnesota plaintiffs outside of the depository. Exemplars of data runs from the Tobacco Leaf Analysis (TLA) database have been provided to the Minnesota plaintiffs. Indices to microfilm from the Manufacturing Technical Services Department have been provided to the Minnesota plaintiffs. Other databases produced outside the depository are: CRC databases; INBIFO databases on CD-R's; four FTR indices; [Philip Morris is providing under separate cover its answer to Washington Interrogatory number 5 which lists indices and databases maintained by Philip Morris for documents relating to tobacco and health or to the advertising, marketing or promotion of cigarettes.]
4. Advertising and Marketing Documents. Philip Morris has provided examples of advertising and marketing documents.
5. Miscellaneous Documents. Philip Morris has provided to the Minnesota plaintiffs examples of various documents including: three routine manufacturing documents; letters documenting agreements between Philip Morris and Liggett; examples of daily production logs; various copies of the Maxwell Reports; Tamol documents; Philip Morris International Certificate of Incorporation and an assumed name certificate and proxy statement; summary of financial information; listing of U.S. Patents issued to Philip Morris and a cross-license agreement; a sample research agreement between Philip Morris Incorporated, Philip Morris Products Inc. and Frabriques de Tabac Reunies; and sample blend sheets.

In addition, Philip Morris has provided: Volumes 1-8 of the Osdene diaries (with different redactions from those produced into the depository); expert witness deposition transcripts from other jurisdictions; Osdene correspondence; materials relating to Philip Morris cigarette computer models [including an 8mm tape containing the Computer Model; Cat. II?]; exhibits for crime-fraud hearings relating to non-Liggett defendant documents; color versions of ads previously produced in black and white; certain joint defense and sharing agreements and various non-privileged and privileged documents and privilege logs relating to joint defense or sharing agreements; certain documents reclassified as non-privileged; a copy of Howard S. Liebengood's October 2, 1997 letter to the Honorable Orrin G. Hatch, Chairman of the Senate Committee on the Judiciary, and the accompanying 2 page Philip Morris' Statement of

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Position, dated October 2, 1997; copies of files provided by twelve extramural researchers; memorandum from Reininghaus to Nixon regarding the Gullotta Electrophysiological Studies; financial information relating to Project [Beta (Accord)] and Corey Gordon; a transcript of the Frank Gullotta deposition taken on 9/4/97 in the Barnes case [in the depository?]; and a copy of a pamphlet relating to the [Accord] Cigarette.

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