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1. **The Money:** The total dollar amount has to stay at or near the \$368.5 billion as laid out in the June 20th agreement. The \$650 billion plan envisioned by Sen. Kennedy and others will bankrupt all or most of the tobacco industry.
2. **Comprehensive Bill:** The settlement must be a comprehensive solution to the youth smoking issue. If this process gets split up into individual issues and initiatives -- such as efforts to increase the FET by \$1.50, give FDA complete authority to regulate tobacco products, restrict or ban tobacco advertising/marketing, etc. -- we lose! We get all the bad and none of the good (liability limits, new corporate culture, stay in business, etc.).
3. **Legal Liability Limits:** The proposed settlement does not end all past and future lawsuits against the tobacco industry nor does it prohibit the ability of individuals to sue the tobacco companies for compensatory damages and for punitive damages for future conduct. The proposed settlement resolves other types of cases and claims (class actions, Medicaid reimbursement suits, punitive damages for past conduct, and "addiction" claims). The proposed annual cap on liability payments by the industry is reasonable as a means of providing the companies with greater certainty and predictability and to ensure that the companies will continue to be able to stay in business and make the payments required by the settlement. In short, why do the settlement if it doesn't include legal liability limits?