

If you smoked between June 1993 and April 2001, this class action notice may affect your rights.

A class action lawsuit involving cigarette promotion and nicotine is pending in the Superior Court of the State of California for the County of San Diego, entitled Brown et al. v. The American Tobacco Company, Inc., et al., Case No. 711400 (JCCP 4042). This notice is to inform you of the Court's decision to certify a plaintiff class (the "Class"), the nature of plaintiffs' claims, and your right to participate in or exclude yourself from the Class.

ARE YOU AFFECTED BY THIS CASE?

The following are members of the plaintiff Class: *All people who at the time they were residents of California, smoked in California one or more cigarettes between June 10, 1993 through April 23, 2001, and who were exposed to defendants' marketing and advertising activities in California.*

The defendants in this case are: The American Tobacco Company, Inc.; Philip Morris Incorporated; R. J. Reynolds Tobacco Company; Brown & Williamson Tobacco Corporation; British American Tobacco Co., LTD.; Liggett Group, Inc.; Liggett & Myers, Inc.; The Council for Tobacco Research - U.S.A., Inc.; The Tobacco Institute, Inc. and Lorillard Tobacco Company.

WHAT IS THIS CASE ABOUT?

Plaintiffs allege that the defendants, by way of deceptive advertising and marketing activities in California during the class period, misled the smoking public of the health risks of smoking to seduce and induce people to smoke. The plaintiffs seek to recover all profits from the defendants' sales of cigarettes during the class period, and an order stopping these practices. **This case does not involve claims for personal injuries or wrongful deaths.** The defendants deny all of these allegations of wrongdoing and liability for damages.

Plaintiffs can either win or lose this case. The Court has not decided the merits of the plaintiffs' claims or defendants' defenses. Plaintiffs will be required to prove their claims at a trial set to begin on October 11, 2002.

The Court has appointed the following law firms to represent plaintiffs as Class Liaison Counsel: Dougherty, Hildre, Dudek & Haklar, San Diego, CA and Robinson, Calcagnie & Robinson, Newport Beach, CA. The Castano Plaintiffs' Legal Committee Members are also Class Counsel. If Class Counsel obtains a judgment, they may apply to the Court for payment of their reasonable attorneys' fees and costs. It is anticipated that any such request for payment will be deducted from any recovery, or paid by defendants. You do not need to hire your own attorney, but if you chose to, you will be responsible for paying that attorney's fee. You may seek the Court's permission to intervene or appear in the action as a named Class co-representative.

YOU MAY EXCLUDE YOURSELF FROM THE CLASS.

You have a choice whether or not to remain a member of the Class. To remain a member of the Class, YOU NEED NOT DO ANYTHING AT THIS TIME. If you remain a class member, you will be bound by all orders of the Court and you will be barred from bringing any future claims based on the allegations raised in this case.

If you do not wish to remain a member of the Class, you must state that you wish to "opt-out" in writing to the address listed below postmarked by June 14,

2002. If you opt-out (exclude yourself), you cannot obtain any recovery obtained on behalf of the Class in the event the plaintiffs prevail, and you will not be bound by any Court orders or judgments.

To exclude yourself, you must write to: **Brown v. American Tobacco Company, P.O. Box 33862, San Diego, CA 92163-3862.** To get more information call toll free **1-800-494-6975**, or visit the website **www.calsmoker.com**. PLEASE DO NOT CONTACT THE COURT.

This notice affects smokers of all ages who lived and smoked in California, including minors under 18.

www.calsmoker.com
1-800-494-6975