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12 The Independent

## Dying smoker sues tobacco firm

BELLEVILLE, Illinois (AP) — In the first trial since the United States Supreme Court ruled that warning labels do not protect cigarette makers from lawsuits, a lawyer claimed yesterday that his client, a smoker dying of lung cancer, has less than a year to live.

Charles Kueper claims in his lawsuit that R.J. Reynolds Tobacco Co., the nation's second-largest tobacco company, and the Tobacco Institute, a trade association, persuaded him to ignore evidence that smoking is dangerous.

"Charlie's 51 years old and that's all the older he's going to get," Bruce Cook, Mr. Kueper's lawyer, told a Circuit Court jury.

The retired army master sergeant is suing for compensatory damages of \$3m (£2m) and unspecified punitive damages. Mr. Kueper says he got cancer from smoking one and a half packs of cigarettes a day for nearly 30 years.

The Supreme Court ruled in June that warning labels on tobacco products do not shield cigarette companies from lawsuits based on state personal injury laws.

The court said a successful claim could be based on allegations that cigarette advertisements are fraudulent, that the companies concealed the dangers of smoking from state regulators or that they conspired to mislead the public. If the lawsuit succeeds, it could affect dozens of other cigarette liability lawsuits pending against tobacco companies.

The trial coincides with the American Cancer Society's Great American Smokeout today, in which smokers are urged to give up the habit.

17 International  
Herald Tribune

Japan Tobacco Inc., Japan's monopoly tobacco producer, reported a decline of 1.7 percent in current profit, to 57.464 billion yen (\$460 million), for the six months ended Sept. 30.

19 NOV 1992

MARKETING



Smoking: ads encourage shift to low tar

### Tobacco: innovation must filter through

In those countries which permit cigarette advertising, the shift to low tar and filter cigarettes has been much more pronounced than in those countries where cigarette advertising is banned. This has been achieved because of the critical link between advertising and product innovation.

What is "undefendable" is not cigarette advertising but the lack of objective analysis displayed by your editorial (November 5).

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18 NOV 1992  
WESTERN  
MAIL

ASHES TO ASHES: The new tar-black packet

## Coffin up the real thing

THE LATEST smoking deterrent to hit Wales are cigarettes. Subtly named. Death, they come — predictably enough — from the United States.

After a test run, manufacturers have opted to sell them in a tasteful black packet bearing a white skull and cross bones, alongside the more conventional brands.

Ten per cent of operating profits are donated to cancer charities. It remains to be seen whether the idea will go up in smoke.

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