"WISH LIST SUBJECT INDEX"

A. Documents Requested

1. Marketing and Advertising
* 2. Position Papers
* 3. Product Testing
4. Competitive
5. Public Relations
6. Product General
7. Injunctive Relief
8. Meetings
9. Potential Litigation
10. Smoking and Health Litigation
11. Patents

B. Witness and Expert Identification

* 1. Technical
* 2. Medical
* 3. Legislative / Regulatory
* 4. Corporate Officers
5. Advertising
6. Trained Company Spokespersons
7. Trial
8. Public Relations
9. Anti-Smoking
10. Lay

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C. Identification of Certain Entities

1. Anti-Smoking groups

2. Subsidiaries or affiliates of RJR

3. Corporate organizational charts

4. Indiana tobacco growing counties and RJR contacts

5. Indiana Congressmen and State Legislators briefed on Alpha

6. RJR's business presence in Colorado

D. Enviornmental Claims Questions

E. Legal Research

1. State law violations of Interstate Commerce clause

2. Ninth Amendment

3. Effect of Federal Trade Laws

4. Uniform Food & Drug Cosmetic Act

5. Ohio Pure Food & Drug Law

6. Ohio Consumers Sales Practices Act

7. Ohio Hazardous Substance Act

8. Civil Action Summaries

9. Class Action Brief

10. Substantive Issues & Evidentiary Showings necessary for injunctive relief under the Federal Food and Drug Act and the Federal Trade Commission Act

5/5/79 4944 B

F. Preparation of Discovery and Motions for Litigation

1. Smoking & Health

2. Patents

G. Interstate Communication Network

1. Pleading Exchange

2. Clipping Service of articles written up on the product

ALPHA "WISH LIST"

EXISTING DOCUMENTS REQUESTED

Marketing and Advertising

1. Surveys, studies and other investigations to refute the charges that ALPHA misleads consumers into believing ALPHA is "safer". (2)

2. Surveys, studies and other investigations which establish that ALPHA's advertising is true and not misleading or likely to mislead. (2)

3. Final advertising copy for ALPHA. (2)

4. In response to deceptive or false advertising claims, consumer surveys or polls, with appropriate experts qualifying those surveys, which would establish that consumers are not mislead by the advertising that is intended to be conducted or that consumers have a preference for a cigarette having the qualities of Alpha. As to any claim that Alpha is "cleaner," appropriate consumer surveys that show that consumers are not mislead by that term. (3)

5. Study of a human factors expert as to the psychological and behavioral effect of ALPHA on smokers and non-smokers. (2)

6. Surveys of non-smoker objections to smoking and an explanation of how many of these objections are addressed by ALPHA. (2)

7. A copy of all information about the new product that has been (or will be) disseminated to the media or the public in connection with the introduction of the new product (including a sample box of the product and all advertising that will accompany its introduction). (6)

Position Papers

1. All position papers and related correspondence on ALPHA prepared by the Food and Drug Administration ("FDA") and the Federal Trade Commission ("FTC"). (1,6)

2. FTC position paper, to include the following:

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(a) Historical overview of FTC's treatment of cigarette advertising;

(b) Explanation of Reynold's involvement with the FTC concerning ALPHA;

(c) Summary of proof and experts to substantiate ALPHA's advertising. (2,6)

3. FDA position paper to include the following:

(a) FDA's jurisdiction and scope of authority;

(b) FDA's jurisdiction with respect to cigarettes;

(c) ASH petition and all subsequent pleadings;

(d) FDA opinion letter to SEC regarding "Favor". (2,6)

4. All critiques by RJR of the FDA and FTC position papers. (1)

5. Any position papers or correspondence to or from any regulatory agencies in states which have been approached regarding ALPHA. (1)

Product Testing

1. Tests results measuring residual air changes in a contained area after the smoking of a certain number of ALPHA cigarettes versus the residual air changes in an identical sized area after the smoking of the same number of traditional cigarettes. (1)

2. RJR's and FDA's test results of glycerol and its effects on human beings. (1)

3. RJR's test results that vary from the FTC test results or FDA test results on identical subjects.(1)

4. Summary charts showing the results of tests performed on Alpha, with qualifying affidavits. (3)

Competitive

1. Competitor surveys, studies or other investigations about its cigarette products and improvement/modifications thereto. (2)

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2. RJR documents and competitor's documents (newspaper clippings, etc.) of what constitutes a cigarette. (8)

Product General

1. A list of all films, videotapes, and visual, instructional exhibits available for use with reference to ALPHA. (1)

2. Make available samples of the product. (5,7)

3. A picture diagram of the new cigarette. (8)

Injunctive Relief

1. All arguments prepared by RJR dealing with the issue of injunctive relief. Such arguments should include, if possible, any analysis of bond requirements and of irreparable harm. (1, 8)

Presentations

1. Hard copies of overhead projection materials used at the Mitchell meeting in Winston-Salem, NC on January 22, 1988. (2)

2. Copies of all scientific papers to be presented at the Society of Toxicology meeting, February 15-20, 1988; Enviornmental Mutagen Society, March 27-31, 1988; and any other professional conferences. (2)

Smoking and Health Litigation

1. Any standard pleadings by RJR with regard to smoking litigation. (1)

2. Complete access to all smoking-related pleadings now in Hall & Evans possession. (1)

Patents

1. Lists/copies of all applicable patents.(8)

WITNESS AND EXPERT IDENTIFICATION AND AVAILABILITY

Technical and Medical

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1. Resumes on all outside experts used by RJR on ALPHA tests. (1)

2. Resumes on all expert scientific witnesses, including medical personnel and "white-coats". (1)

3. Identification of an expert to testify that ALPHA is a cigarette; alpha is not a drug; alpha is cleaner.. (2,9)

4. Identification of in-house and outside experts/consultants in the fields of chemistry, biology, biochemistry, and other pertinent disciplines for consultation and testimony. (2)

5. Appropriate experts concerning the state of the art with respect to cigarette technology, including the fuel element and the aluminum capsules. (3)

6. Medical or scientific experts concerning the methodology and results of those tests results performed on Alpha and the significance of the test results with respect to the major health allegations pertaining to cigarettes, particularly the reduction of compounds burned by Alpha, the significance of that reduction and the reduction in the level of "tar" under the FCC method as well as the spectrographic method. Such experts should include both RJR employees who were involved in the testing of Alpha and also appropriate representatives from the independent laboratories that conducted testing. (3)

7. A list of names of scientists who have reviewed the data on the new product and who can be expected to make favorable comments about the product. (6)

8. We believe that someone from your research cadre -- engineer or chemist or pharmacologist -- would be helpful in explaining the new product and its differences from traditional products. We particularly have in mind explaining the composition of the product, and explaining how (by scientific analysis) it eliminates or diminishes certain colorably offensive features of the current product. Not suprisingly, Dr. Wally Hayes would be about as convincing a spokesman in this role as we could imagine. (7)

9. We believe it helpful to have a physician -- ideally, one familiar with, and objective about, the smoking and health controversy -- to comment on the elimination of "tar" and passive smoke from the new product. The only local personage we feel able to alert you about is Dr. Michael Liebowitz of the University of Arizona College of Medicine.

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If he could be helpful in differentiating the desirability of the new product from its traditional competition. None of the three of us is well enough acquainted with the local medical/academic community to put forth any other name, and we haven't run the risk of asking "outsiders" for recommendations. (7)

10. Scientific experts to testify as to studies conducted. (8)

11. An epidemiologist, a toxicologist and a statistican. (8)

12. A listing of available experts within and without R.J. Reynolds regarding the technical or commercial feasibility of manufacturing or marketing the new product at an earlier date, and their curriculum vitae. (5)

Legislative/Regulatory

1. A list of all experts available for purposes of litigation and for purposes of meeting with key legislators, community leaders, and so forth. (1)

2. An expert spokesman concerning the composition and the characteristic of Alpha (i.e. no burning tobacco, limited side stream smoke, no ash, the non-irritating composition of smoke). (3)

3. A list of qualified witnesses (and their curriculum vitae) available to appear before legislative committees and administrative agencies, boards, and commissions, who could describe the charecteristics and features of the new cigarette, the application (or inapplication) of statutory provisions to the new cigarette, and the policy reasons why the proposed legislation or regulation should not be adopted. (5)

4. Particularly for dealing with the State Department of Health Services (if that becomes necessary), we think it helpful to have someone with FTC and Federal Food and Drug Administration expertise to speak authoritatively about the inapplicability of certain Federal laws to the new product. Champ Mitchell and Alan Kaplan are both well-suited for that role. Even though Alan Kaplan did not represent to have FTC expertise, I think his federal administrative law expertise and advocacy skill make him able to helpful in this task for us in Arizona. (7)

Corporate Officers

1. For purposes of "showing the flag," -- particularly with editorial boards and the legislature -- it would be helpful to have some corporate officer, (preferably outside the governmental affairs realm) to accompany Larry Bewley and one of the three of us on visits locally. We suggest someone other than Larry for an odd reason: he is so well positioned with our legislative leadership that his presence alone would not connote the extremely important nature of this undertaking. In other words, Larry "fits like an old shoe," and I think we would have the desired impact by bringing in an additional RJR face for this ad hoc project. But because Larry is so well-liked, it would be a mistake not to involve him along with the individual just described. (7)

Advertising

1. Identification of in-house and outside experts/ consultants on ALPHA's advertising. (2)

2. Identification of an expert lexicologist to testify that the language used in ALPHA's advertising is not misleading or likely to mislead. (2)

3. Communications specialist as to how ads will be received. (8)

4. Advertising specialists as to scope/intent of ads. (8)

Spokespersons

1. A list of names of trained spokespersons to whom we can refer questions or who would be available to make presentations. (6)

Trial

1. Expert testimony summaries suitable for insertion in a trial brief. (2)

2. Affidavits/identification of personnel to testify as to time/money spent on development. (8)

3. Affidavits/identification of personnel to testify as to irreparable harm. (8)

4. Expert witnesses who are prepared to testify that it was not technically or commercially feasible to manufacture and

market the new cigarette at an earlier date (e.g., that certain components were not yet available or had not yet been discovered, that special manufacturing equipment had to be designed and built, etc.) (5)

5. Identification of likely candidates for designation as Rule 30(b) (6) witnesses regarding the infeasibility of manufacturing and marketing the new cigarette at an earlier date. (5)

6. Identification of expert witnesses who could testify why each of the patented inventions relating to the new product is patentable, including witnesses who could testify about the differences between each of the inventions and the prior art, and a witness who could testify about patent prosecution practice, how patents are obtained from the U.S. Patent and Trademark Office, and the work performed by patent examiners in the Office. (5)

7. Witness needed to demonstrate harm to RJR or, alternatively, to show amount of bond plaintiff should post if preliminary injunction is to be granted. (9)

Public Relations

1. We believe a member of your national public relations staff should help coordinate our local effort. We would also use a local public relations person, e.g. Barbara DeMichele or Penny Pfaelzer, as well. The principal purpose of local assistance would be to deal with the editorial boards of local newspapers, especially the Phoenix Newspaper, Inc. (the Arizona Republic and Phoenix Gazette), Tribune Newspapers (the Mesa, Chandler and Tempe Tribunes) and the Scottsdale Daily Progress. While we have been cautioned not to dabble in public relations if we are novices in that realm, Andy and I both enjoy excellent relationships with the Capitol press corps and members of the Phoenix Newspapers editorial staff and feel we could arrange a meeting with (at least) the Phoenix Newspapers Editorial Board in advance of RJR efforts here. (7)

Anti- Smoking

1. Resumes on all anti-smoking experts and all available articles by such experts. (1)

Lay

1. Resumes on all lay experts. (1)

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IDENTIFICATION OF CERTAIN ENTITIES

1. A list of anti-smoking groups especially those that may become a plaintiff party in Missouri. Also each organization's legal status i.e. incorporated and their operational structure. (9)

2. Are any subsidiaries or affiliates of RJR registered in Missouri? (9)

3. The organizational chart for all RJR companies. (1)

4. A list of Indiana counties where tobacco is grown and a list of RJR "contacts", if any, in those Indiana tobacco-growing counties. (6)

5. A status report advising us of the names of Indiana Congressmen and Indiana State Legislators who have been briefed about the new product and what their position is regarding the product, if known. (6)

6. A summary of RJR's business presence and business activities in Colorado in smoking as well as non-smoking areas. (1,9)

7. Quotable quotes from knowledgeable and influential sources suitable for dissemination to public officials, news media persons, etc. (2)

8. A list of RJR's major distributors. (9)

ENVIORNMENTAL CLAIMS QUESTIONS

1. Has RJR conducted a study on the overall "enviornmental" effects of Alpha from a legal or technical viewpoint? In this context, has RJR compared environmental challenges faced by the beverage container industry with possible challenges to Alpha? (9)

2. Has RJR conducted a study on the potential for reclamation or recycle of expended Alpha cylinders? (9)

3. Has RJR developed a contingency plan for response to enviornmental claims which might be raised against Alpha, including the recycling issue? (9)

4. Has RJR considered informing Missouri or other state environmental officials, when appropriate, of its position on the possible "environmental" effects of Alpha? (9)

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5. Does RJR have an expert identified to handle potential environmental allegations? (9)

LEGAL RESEARCH

1. Legal research on whether state action would be violative of interstate commerce clause. (8)

2. Legal research on Ninth Amendment. (8)

3. Legal research/position paper re: application/effect of Federal Trade Laws. (8)

4. A memorandum or brief analyzing decisions from all states having the Uniform Food Drug & Cosmetic Act re: the definition of "drug" and "device" under that Act. (4)

a. A memorandum or brief analyzing federal preemption of the regulation of drugs and devices in interstate commerce. (4)

b. A memorandum or brief analyzing decisions from all states having the Uniform Food Drug & Cosmetic Act regarding its application to interstate commerce.(4)

5. Ohio Pure Food and Drug Law. Brief memorandum to be submitted at the appropriate time to the Director of Agriculture, State Board of Pharmacy, Public Health Council and/or Attorney General that the Public Health Council does not have the legal authority under Section 3715.69 of the Ohio Revised Code to adopt regulations of any kind affecting the new cigarette. (5)

6. Ohio Consumers Sales Practices Act. Brief memorandum to be submitted at the appropriate time to the Attorney General that the Attorney General does not have the legal authority under Section 1345.05 of the Ohio Revised Code (or if the Attorney General arguably has the legal authority, that he should not exercise it) to adopt regulations of any kind affecting the new cigarette. (5)

7. Ohio Hazardous Substances Act. Brief memorandum to be submitted at the appropriate time to the Director of Health, Public Health Council an/or Attorney General that the Public Health Council does not have the legal authority under Section 3716.03 of the Ohio Revised Code to adopt regulations of any kind affecting the new cigarette. (5)

8. Position paper/Legal Research of Application of F.D.A.(8)

10. Position paper/Legal Reseach on Negative Preemption, I.e., if F.D.A. does not act, does this preclude state application of little F.D.A.'s.(8)

LITIGATION PREPARATION

Smoking and Health

1. A model set of requests to admit designed to elicit support for a motion in limine to exclude evidence of, and preclude reference to, R. J. Reynolds' new cigarette prior to the introduction of the new cigarette on the market. (5)

2. A model set of requests to admit designed to elicit support for a motion in limine to exclude evidence of, and preclude reference to, R.J. Reynolds' new cigarette after its introduction to the market.(5)

3. A draft of a motion in limine to exclude evidence of, and preclude reference to, R.J. Reynolds' new cigarette under Federal Rules of Evidence 402, 403, and 407, and any other potentially applicable Rules of Evidence, after the introduction of the new cigarette on the market. (5)

4. A draft of a motion in limine to exclude evidence of, and preclude reference to R.J. Reynolds' new cigarette under Federal Rules of Evidence 402, 403, and 407, and any other potentially applicable Rules of Evidence, after the introduction of the new cigarette on the market. (5)

5. A memorandum detailing the infeasibility of manufacturing and marketing the new cigarette at an earlier date. (5)

6. Cross-examination outlines for plaintiffs' state-of-the-art type witnesses who might testify that it would have been technically and commercially feasible for R.J. Reynolds to manufacture and market the new cigarette at an earlier date. (5)

7. Literature search of articles authored by plaintiffs' state-of-the-art type witnesses who might testify that it would have been technically and commercially feasible for R.J. Reynolds to manufacture and market the new cigarette at an earlier date. (5)

8. Witness outlines for R.J. Reynolds' witnesses who would testify that it was not technically or commercially feasible

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for R.J. Reynolds to manufacture and market the new cigarette at an earlier date. (5)

9. Witness preparation books for R.J. Reynolds' witnesses who would testify that it was not technically or commercially feasible for R.J. Reynolds to manufacture and market the new cigarette at an earlier date. (5)

10. Identification of R.J. Reynolds' documents to be used as exhibits supporting fact or expert witnesses' testimony regarding the infeasibility of manufacturing and marketing the new cigarette at an earlier date. (5)

11. Legal memoranda supporting the admissiblity of each of the documents to be used as exhibits supporting fact or expert witnesses' testimony regarding the infeasibility of manufacturing and marketing the new cigarette at an earlier date, where there is any doubt. (5)

12. An index or listing of documents relating to the new cigarette, potential objections to the production of any such documents, and a privilege index relating to such documents, in the event that a request to produce any such documents is served on R.J. Reynolds. (5)

13. Identification of any potentially troublesome documents relating to the new cigarette, and an explanation of why any apparent problems are actually illusory. (5)

14. A summary of the history of the development of the new product which could be used in responding to interrogatories relating to the new product and/or as background information for lawyers working on new product matters. (5)

15. A draft of a motion to quash potential subpoenas served on R.J. Reynolds for Rule 30 (b) (6), Fed. R. Civ. P., depositions of witnesses qualified to testify with respect to the development, design, manufacture, or marketing of R.J. Reynolds' new product. (5)

16. A model response to a potential Request to Admit directed to R.J. Reynolds along the following lines: "R.J. Reynolds' new cigarette is safer or poses fewer health risks) than other brands of cigarettes marketed by R.J. Reynolds." (5)

17. Charts, drawings, and other potential exhibits for R.J. Reynolds' experts witnesses on the feasibility issues (e.g. chart of all the new developments and technologies involved in the design and manufacture of the new cigarette; a long

list of all the patents relating to the manufacture and design of the new cigarette; etc.). (5)

18. Drafts of offensive discovery, if necessary to repel an attack on the new product by one or more of R.J. Reynolds' competitors, including interrogatories, document requests, requests to admit, and deposition notices, which are carefully weighed to balance maximum effectiveness in such a proceeding versus the potential harm to R.J. Reynolds elsewhere (e.g. the smoking and health litigation). (5)

Patent

1. A fresh examination of all patent applications, both U.S. and foreign, filed by R.J. Reynolds and the prosecution history for each application, with respect to the new product, its components, and the process and equipments used to manufacture it, to determine if there are any other patentable elements that could be claimed, any claims that could be phrased more broadly, or any claims that should be revised to enhance their strength or validity. (5)

2. Identification and collection of all documents relating to the conception and reduction to practice of the inventions relating to the new product for which R.J. Reynolds has filed patent applications. (5)

3. A detailed chronology of the conception and reduction to practice of the the inventions relating to the new product for which patent applications have been filed, supported by all available documentation. (5)

4. Witness preparation books for each of the expert witnesses who would testify as to the patentability of the inventions relating to the new product. (5)

5. Witness outlines for each of the the expert witnesses who would testify as to the patentability of the inventions relating to the new product. (5)

6. With regard to a potential charge of inequitable conduct by R.J. Reynolds during the patent application and prosecution process, a comprehensive memorandum detailing all of the information in the possession of R.J. Reynolds or its patent attorneys which is relevant to each of the patent applications filed by R.J. Reynolds with respect to the new product, its components, or the process or equipment used to manufacture the new product, including all prior art searches conducted; and an articulation of responses to a

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potential charge that certin of that information should have been disclosed to the patent office. (5)

7. A verification that the proper steps have been taken to mark the product, to insure that R.J. Reynolds' recovery of damages would not be limited if it should bring a patent infringement suit. (5)

8. A comprehensive memorandum detailing why each of the patented inventions relating to R.J. Reynolds' new product is not obvious, including an analysis of the so-called "secondary considerations" outlined in Graham v. John Deere Co., 383 U.S. 1 (1965). (5)

9. A memorandum detailing the role of parties other than R.J. Reynolds, e.g. suppliers, in developing the patented inventions relating to the new product, demonstrating that the proper inventors have been identified on the patent applications and explaining why no one other than R.J. Reynolds should be able to claim an interest in any of the inventions or patents. (5)

10. A memorandum addressing issues pertaining to R.J. Reynolds' licensing of the patents, including any possible arguments that compulsory licensing would be required. (5)

Temporary Restraining Order/Injunctive Relief

1. A memorandum in opposition to a motion for temporary restraining order or preliminary injunction seeking to prohibit, delay, or curtail the marketing of the new product on the ground that it is a "new drug" that has not been approved by the FDA. (5)

2. A brief outline of facts and arguments relating to R.J. Reynolds' opposition to a motion for a temporary restraining order or preliminary injunction seeking to prohibit, delay or curtail the marketing of the new product on the ground that it is an "new drug" that has not been approved by the FDA, to be used by lawyers for R.J. Reynolds who have to argue against such a motion on minimal notice. (5)

3. Detailed legal memoranda on the substantive issues, and the evidentiary showings necessary for injunctive relief, under the Federal Food and Drug Act and the Federal Trade Commission Act. (3)

Affidavits Requested

1. An affidavit stating the irreparable harm R.J. Reynolds Tobacco Company would suffer if it was enjoined from marketing its new product. (3,5,6)

2. An affidavit or affidavits showing the factual basis for the claim that ALPHA is a cigarette (Indiana FDC Act uses the term "tobacco product"), e.g. its tobacco components and their function. (4)

3. Affidavit or affidavits that ALPHA is being labeled as a cigarette in accordance with federal regulations and industry guidelines. (4)

4. Affidavit or affidavits that the manufacture and shipment of ALPHA occurs in interstate commerce. (4)

5. Affidavit or affidavits that ALPHA is taxed as a cigarette. (4)

6. Affidavit used as evidence that if ALPHA sales are enjoined or if competitor's obstructionary tactics are not enjoined it will cause irreparable harm to Reynolds. (2)

7. Affidavits to show plaintiff is unlikely to suceed on merits. a. ALPHA is not a drug b. ALPHA is "cleaner" (9)

8. Affidavit showing damages to RJR for ten-day temporary restraining order and, alternatively, to set amount of bond requested by RJR if the restraining order is granted (e.g., loss of profits, loss of investment in ad campaigns already under commitment, shelf life problem). (9)

9. An affidavit articulating the irreperable harm that R.J. Reynolds would suffer if the marketing of its new product were delayed or curtailed. (5)

10. An affidavit articulating the public's interest in the prompt marketing of R.J. Reynolds' new product. (5)

11. An affidavit concerning the composition and the charecteristics of Alpha (ie. no burning tobacco, limited side stream smoke, no ash, the non-irritating composition of smoke). (3)

12. Affidavits concerning the methodology and results of those test results performed on Alpha and their significance with respect to major health allegations pertaining to cigarettes, particularly the reduction of compounds burned by Alpha, the significance of that reduction and the

reduction in the level of "tar" under the FCC method as well as the spectrographic method. (3)

13. Affidavits qualifying surveys which establish that consumers are not mislead by the advertising that is intended to be conducted or that consumers have a preference for a cigarette having the qualities of Alpha. (3)

14. Affidavits concerning the state of the art with respect to cigarette technology, including the fuel element and the aluminum capsules. (3)

15. Affidavit substantiating advertising claims. (4)

Class Action

1. Motions and legal memoranda to defeat a class certification based on various improper class representative arguments. (9)

PREPARATION OF SUMMARIES, POSITION PAPERS, OUTLINES, BRIEFS AND MEMORANDA

Product

1. Factual explanation of ALPHA, its design, components and how it functions, suitable for insertion in a trial brief. (2)

2. Summary of all favorable aspects of ALPHA. (1)

3. Appropriate diagrams showing the composition of Alpha, with qualifying affidavits. (3)

4. A brief description of the design and charecteristics of RJRT's new cigarette, including a comparitive summary of the features versus another cigarette. (5)

Product Testing and Research

1. A summary of the test processes and results when ALPHA is used. (1)

2. A briefing paper detailing the pre-market introduction testing that has been preformed on the new product. (6)

4. A memorandum summarizing the toxicological research performed on the new product and its components, and the results of that research. (5)

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5. A position paper on all scientific findings with respect to ALPHA, both positive and negative. (2)

6. An outline and details of the Surgeon General's most current tests on cigarettes and the most current FTC tests on cigarettes. (1)

Marketing and Advertising

1. An acceptable explanation to (a) courts and juries, and (b) the public, for the test-marketing phase of the new product, as to why R.J. Reynolds' new product is not yet available in the plaintiff's (or that segment of the public's) state. (5)

2. A memorandum or position paper on why R.J. Reynolds' new product should not be subject to the jurisdiction of the FDA or its state counterparts. (5)

3. A memorandum on why the state counterparts to the FDA are prohibited from regulating R.J. Reynolds' new product as a "drug" or "device" even in the abscence of FDA regulation, or in the absence of an express FDA exemption of the new product from its regulation. (5,9)

4. An acceptable explanation for (a) the public, (b) courts and juries, (c) the FDA, (d) state counterparts to the FDA, and (e) any other persons who might question or challenge R.J. Reynolds' decision not to seek approval of the FDA for its new product, as to why RJR is not seeking such approval. (Cf. the testimony of Jeffrey Harris in Cipollone on this subject.). (5)

5. A memorandum or position paper on why RJR's new product is not covered by the definition of "hazardous substance" under the Federal Hazardous Substances Act, the definition of " consumer product" under the Consumer Product Safety Act, the definition of "controlled substance" under the Controlled Substances Act, and the definition of "consumer commodity" under the Fair Packaging and Labeling Act. (5)

6. A memorandum or position paper on why the proposed advertising for RJR's new product comports with the standards imposed by the Federal Trade Commission Act and potentially applicable FTC regulations. (5)

7. A memorandum or position paper on why RJRT need not cease marketing its other brands of cigarettes once it begins to market its new cigarette. (5)

8. A description of any "market introduction" problems that occur in other jurisdictions and how these problems are handled (we would then be better prepared to handle similar problems that may occur in Indiana). (6)

9. Position paper on the nonapplicability of any standard FTC testing methodology not utilized by Reynolds as a basis for its advertising of ALPHA. (2)

Competitor's

1. A summary of RJR's competitiors' presence in Colorado on smoking and non-smoking matters and issues. (1)

2. Historical overview of competitors, to include background, market share, and favorable and unfavorable legal actions with respect to their advertising. (2)

3. Historical overview of how advancements in smoking, e.g., filters, low-tar, ultra low-tar, have been dealt with by competitors. (2)

4. RJR documents and competitor's documents (newspaper clippings, etc.) of what constitutes a cigarette. (8)

5. Competitive analysis of any particular market (i.e., a cigarette submarket) so as to determine whether a Sherman Act counterclaim could be made. (8)

6. Summaries of civil actions wherein one manufacturer/distributor sought to enjoin advertising or sales of competitor's product, which are unreported in legal case books. (2)

Presentations

1. Summary of Dr. Wally Hayes' presentation on January 22nd. (1)

2. Summary of all scientific presentations presented at the January 22nd seminar. (1)

Public Relations

1. White paper on ALPHA suitable for dissemination to public officials, news media persons, etc. (2)

2. A list of "talking points" for use with legislators and government officials regarding the features of the new

cigarette and explaining why consumers should not be precluded from purchasing this product. (5)

INTERSTATE COMMUNICATION NETWORK

1. Sharing of litigation strategies, competitor's tactics and legal developments. (2)

2. Sharing of information among retailers/distributors in order that they get prompt notification of suit. (9)