

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 99-2496 (PLF)
)	
PHILIP MORRIS USA, INC., <u>et al.</u> ,)	
)	
Defendants.)	
_____)	

ORDER #124 – REMAND

On May 3, 2022, the parties informed the Court that “[a]fter extensive, months-long discussions and negotiations, [they] have reached an agreement in principle to settle the point-of-sale messaging portion of the corrective-statements remedy.” Joint Motion for Status Conference and Stay of Deadlines [Dkt. No. 6496] at 1. In light of the parties’ agreement in principle and with their consent, the Court vacated the evidentiary hearing scheduled to begin in June 2022 and scheduled a two-day fairness hearing for July 19-20, 2022. See Order #122 – Remand [Dkt. No. 6497]; Order #123 – Remand [Dkt. No. 6498].

At the May 20, 2022 status conference, counsel for the United States noted that two yet undecided motions before the Court relate to the point-of-sale remedy and thus to the parties’ agreement in principle. See Plaintiffs’ Motion for Clarification Regarding the Application of Order #1015, as Amended, to Heatsticks Cigarettes [Dkt. No. 6325]; Defendant’s Motion to Modify Order #1015 [Dkt. No. 6334]. The Court wishes to receive the views of all parties to this litigation concerning whether these motions must be decided before the fairness hearing or before the Court approves any proposed settlement or consent decree regarding the

point-of-sale remedy. The Court therefore will direct counsel for the parties to meet and confer and to file a joint status report on or before June 3, 2022, providing their respective views on the above question. Accordingly, it is hereby

ORDERED that the parties shall meet and confer regarding whether it is necessary for the Court to decide Plaintiffs' Motion for Clarification Regarding the Application of Order #1015, as Amended, to Heatsticks Cigarettes [Dkt. No. 6325] and Defendant's Motion to Modify Order #1015 [Dkt. No. 6334] before the fairness hearing or before the Court approves any proposed settlement or consent decree regarding the point-of-sale remedy; and it is

FURTHER ORDERED that the parties shall file a joint status report on or before June 3, 2022, providing their respective views on the above question.

SO ORDERED.

PAUL L. FRIEDMAN
United States District Judge

DATE: May 26, 2022