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# Fraud Suit Against Philip Morris to be Argued in U.S. Supreme Court

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WASHINGTON, Jan. 21 /PRNewswire-USNewswire/ -- On Friday, January 18, 2008, the United States Supreme Court granted Writs of Certiorari in the case of Altria Group, Inc., et al v. Stephanie Good, Case No. 07- 562, to determine whether the nation's largest cigarette producer, Philip Morris, should be shielded from liability in connection with its representation that Marlboro Lights are lower in tar and nicotine, and in its use of the "Lights" descriptor. In their U.S. Supreme Court certiorari brief, the Plaintiffs emphasized, "For over 30 years, Philip Morris falsely reported on its cigarette packages that consumers would receive lower amounts of tar and nicotine from Marlboro Lights than from regular Marlboro cigarettes." Plaintiffs allege that Philip Morris is exposed to liability for fraud under state consumer protection laws.

Philip Morris in essence argues that only the federal government could regulate cigarette companies because the federal government has preempted the field of cigarette marketing, thereby eviscerating the ability of the states to police fraud on the part of the cigarette industry.

The lead counsel for the class representatives is Gerard Mantese, an attorney at Mantese and Rossman, P.C. in Troy, Michigan. He commented, "Our position is supported by the U.S. Supreme Court ruling in Cipollone v. Liggett Group, where the Court held that when tobacco companies affirmatively lie, they can be sued for fraud in state court."

Mr. Mantese added, "Nothing in the federal cigarette labeling act takes away the historic power of the states to hold tobacco companies accountable for fraud. This state power is rooted in the Constitution itself and the power of the states to protect its citizens."

SOURCE Legal Media, LLC

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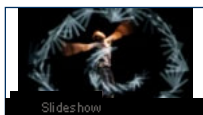
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