



***What States Preparing for Opioid  
Lawsuit Funds Can Learn From Tobacco  
Settlements***

National Council of Insurance Legislators  
2020 Spring Meeting  
March 7, 2020

ClearWay<sup>SM</sup>  
MINNESOTA

 PUBLIC HEALTH  
LAW CENTER  
at Mitchell Hamline School of Law

# Disclaimer





THE BIRMINGHAM NEWS

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**NATION/WORLD**

## \$206 billion tobacco settlement

ates embrace the plan, the biggest U.S. civil set-

ty payments, scheduled through 2025, would re-

for expenses un-

paid program for treat-

related illnesses and

programs and research

smoking, especially by

the settlement would

gal and financial threat

that has been hanging over tobacco

makers.

Although the settlement would not

require higher tobacco prices, they

would be likely as tobacco companies

sought to recoup costs of the

deal.

A formal announcement of details

of the agreement was expected Mon-

day.

State officials have until Friday to

agree to the deal or take their

chances fighting the industry alone

in court. Some antismoking activists

say more time should be allowed to

evaluate the plan.

The four major tobacco companies

agreeing to the settlement are

Philip Morris Inc., R.J. Reynolds To-

bacco, Brown & Williamson Tobacco,

and Lorillard Tobacco.

The negotiating states in addition

to Washington were California, New

York, North Carolina, Colorado, Ok-

lahoma, North Dakota and Pennsyl-

vania.

Fred Olson, a spokesman for Gre-

enore, said the state payments would

range in size from \$2.9 billion for

New York and California to about

\$466 million for Wyoming. Smaller

amounts would also go to several

U.S. territories, such as Puerto Rico

and Guam.

The states would be free to spend

the money as they wish, and public

health advocates are expected to put

pressure on settling states to use the

money in the fight against smoking.



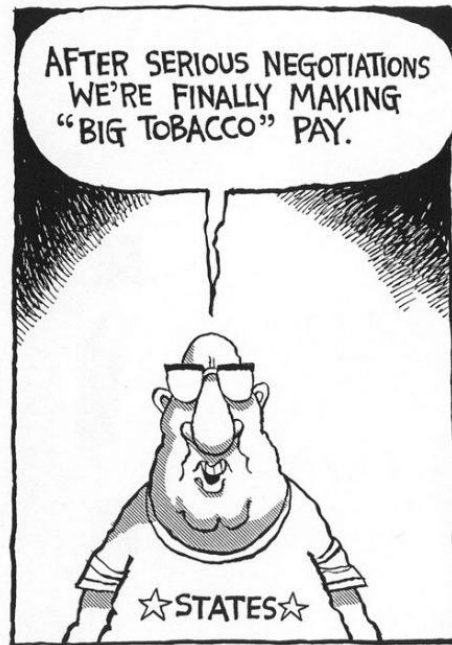
# Trial and Settlement

# THE TOBACCO SETTLEMENT

...IT'S FOR THE CHILDREN!



AFTER SERIOUS NEGOTIATIONS  
WE'RE FINALLY MAKING  
"BIG TOBACCO" PAY.



LEAVE THE MONEY  
ON THE DRESSER.





**TSET**

TOBACCO SETTLEMENT  
ENDOWMENT TRUST



**OKLAHOMA**



## **Ohio's Road to Tobacco Freedom**

December 2, 2004

by Mike Renner

Ohio TUPCF Executive Director

© 1998 by  
Kirk

BUT YOU  
SAID THAT MONEY  
WAS FOR STUFF  
LIKE TEACHING  
KIDS ABOUT  
SMOKING, NOT  
BALANCING  
THE BUDGET.

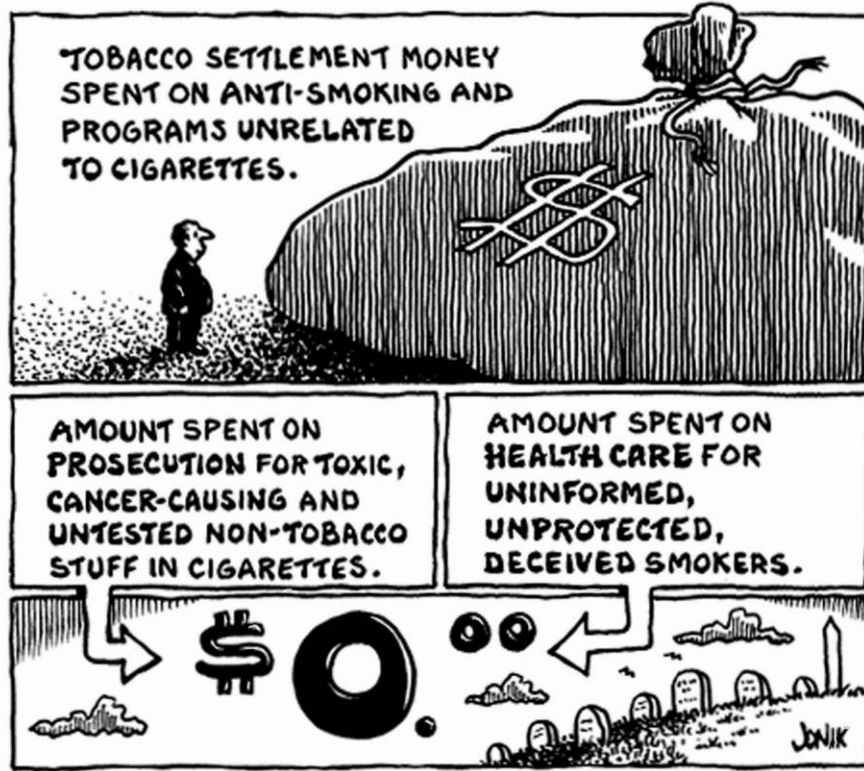


HEY...  
YOU WANT AN  
EDUCATION?  
LESSON ONE:  
PROMISES  
ARE MADE TO  
BE BROKEN.



The Blade

# Tobacco settlement funds rarely used to fight smoking



# Minnesota: The Great Experiment







# ClearWay<sup>SM</sup>

MINNESOTA



**206,000 CHILDREN IN MINNESOTA ARE EXPOSED TO SECONDHAND SMOKE AT HOME.**

Secondhand smoke increases their risk of asthma and causes severe respiratory problems.

**SECONDHAND SMOKE. NO ONE SHOULD HAVE TO BREATHE IT.**



**2018**



# What we've achieved

REDUCING CIGARETTE SMOKING HAS SAVED LIVES.



**4,560**

cancers prevented



**31,691**

fewer hospitalizations for  
cardiovascular disease and diabetes



**12,881**

fewer respiratory disease  
hospitalizations



**4,118**

smoking-attributable  
deaths prevented

Thanks to ClearWay Minnesota and our partners, thousands of Minnesota families have grandparents, parents, children, friends and coworkers who have been spared the death and disease caused by tobacco use.

20 YEARS

ClearWay  
MINNESOTA

ClearWay  
MINNESOTA

# **SEVEN RECOMMENDATIONS**

# Dedicated, Protected Funds Managed Independently



Photography by Rick Lube ©2011

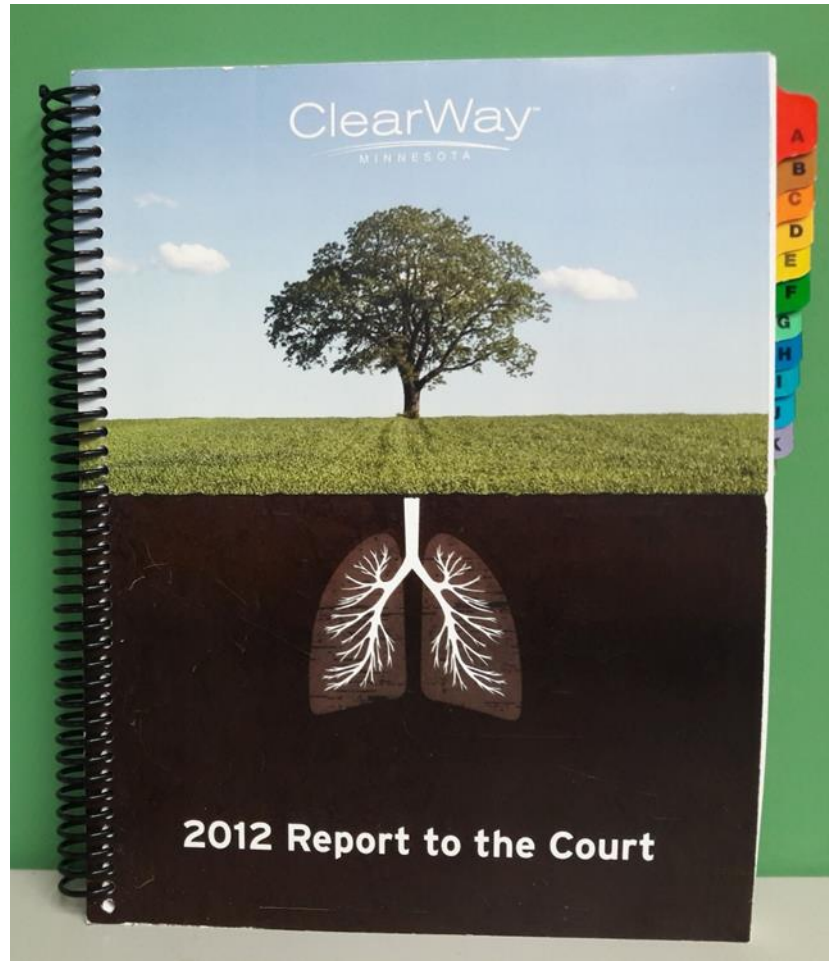
# A Focused Mission



# Science . . . and Equity



# Accountability



# Set Goals





# Open Big Pharma's Documents

CABLE ADDRESS "REYNOLDS, WINSTON-SALEM" A R  
 CODES USED WEB BEN

## R.J.Reynolds Tobacco Company

WINSTON-SALEM, N. C.  
 September 9, 1927.

DIRECTORS  
 W. R. REYNOLDS,  
 Chairman  
 EDWARD GRAY,  
 President  
 JAS. A. GRAY,  
 Vice President  
 T. H. KIRK,  
 Vice President  
 S. CLAY WILLIAMS,  
 Vice President  
 HENRY T. BIRN,  
 Secretary

DIRE  
 W. R. REYNOLDS,  
 Chairman  
 EDWARD GRAY,  
 President  
 JAS. A. GRAY,  
 Vice President  
 T. H. KIRK,  
 Vice President  
 S. CLAY WILLIAMS,  
 Vice President  
 HENRY T. BIRN,  
 Secretary

School days are here. And that means BIG TOBACCO BUSINESS for somebody.

Let's get it.

- and start after it RIGHT NOW.

Attached is a list, in duplicate, of the most important Prep Schools, Colleges and Universities in your division. This list gives names of the school, town at or near which located and number of men and women students. At any school marked "X" we will probably use one or more of the student magazines or newspapers; however, you will be given a list of such papers a little later on and should make no promises to any of them about any advertising.

Phillip Morris Europe, S.A.,  
 Brillancourt 1006,  
 Lausanne,  
 Switzerland.

18th Oc

For the attention of Mr. P. McNally

Dear Sirs,

Re: "SUPERMAN II" - THE MOVIE

This letter confirms the agreement that has been reached our two companies whereby we have agreed to include in feature film currently entitled "SUPERMAN II" (the Film of the Marlboro brand name (the Material) on the following conditions:

- The exposure of the Material referred to above is effected in a major scene in the Film involving a (Gerald Douglas), "General Zod" (Terence Stamp) a "Superman" (Christopher Reeve) and will be filmed accordance with the shooting script in scenes numbered 333 through 341, a copy of which is attached of the billboard referred to in the relevant will be approximately 20 feet by 10 feet and will illuminated.

# TOBACCO INDUSTRY QUOTES

## WHAT THEY THINK ABOUT YOU...



"Today's teenager is tomorrow's potential regular customer."

"If you are really and truly not going to sell to children, you are going to be out of business in 30 years."

"Younger adult smokers are the only source of replacement smokers..."

TO: Mr. J. F. Collins III  
 FROM: R. Waldman  
 SUBJECT: "Red" Program for C.T.R.

December 6, 1970

In retrospect of the November 30 meeting of the CTR Executive Committee, it might be appropriate to comment on the question "What kind of CTR program is best for the industry?" At the meeting it was apparent that questions in handling this matter were related to the fact that people are interested in smoking and health. It is the industry's responsibility to answer these questions in a way which is not only in the best interests of the industry but also in the best interests of the public. In the hope of clarifying, at least partially, the matter I offer the following summary, namely adding that these statements emanate from these files:

1. Stated Objective or Purpose of CTR  
 "To add and assist research into tobacco use and health, and to make available to the public factual information on this subject." This is a very broad statement which has been interpreted more narrowly by "providing financial support for research by independent investigators..." "To provide significant data about lung cancer, heart disease, chronic respiratory disease, and other diseases."

2. It has been stated that CTR is a program to find out "the truth about smoking and health." What is truth to one is false to another. CTR and the industry have publicly and frequently denied what others find as "truth." Let's face it. We are interested in evidence which we believe denies the allegation that cigaret smoking causes disease.

3. What are the alternatives? Some are all cigarette and cigarette acids, we find that cigarette that CTR exists for the good of the industry. How would this benefit be achieved?

4. Aim the program at contributing to the search for the causes of diseases, especially those diseases alleged to be caused by smoking.

5. The CTR Program: Institutional public relations - the industry is interested in

Philip Morris (1970)

BRITISH AMERICAN TOBACCO

4 September 1968

Professor R. Platt,  
 University of Oxford  
 National Dept of Clinical Medicine  
 CTRU, Lockdown Building  
 Radcliffe Infirmary  
 Oxford OX2 6UE

Dear Professor Platt,

I thank you for your fax of 24<sup>th</sup> August 1968 addressed to Anne-Lise Westergaard. She is currently on the office and will reply (she has also recently married and her new name is Anne-Lise Fisher).

We are currently in the process of ending the seminar. It will be an in-house seminar and the audience will be a small group of senior scientists from British American Tobacco. At the meeting we plan to have speakers present their views on the implications of the latest research in clinical areas related to smoking and health, including priorities for future research. Areas to be considered are cancer, respiratory disease, addiction (especially neurophysiological aspects) and heart disease.

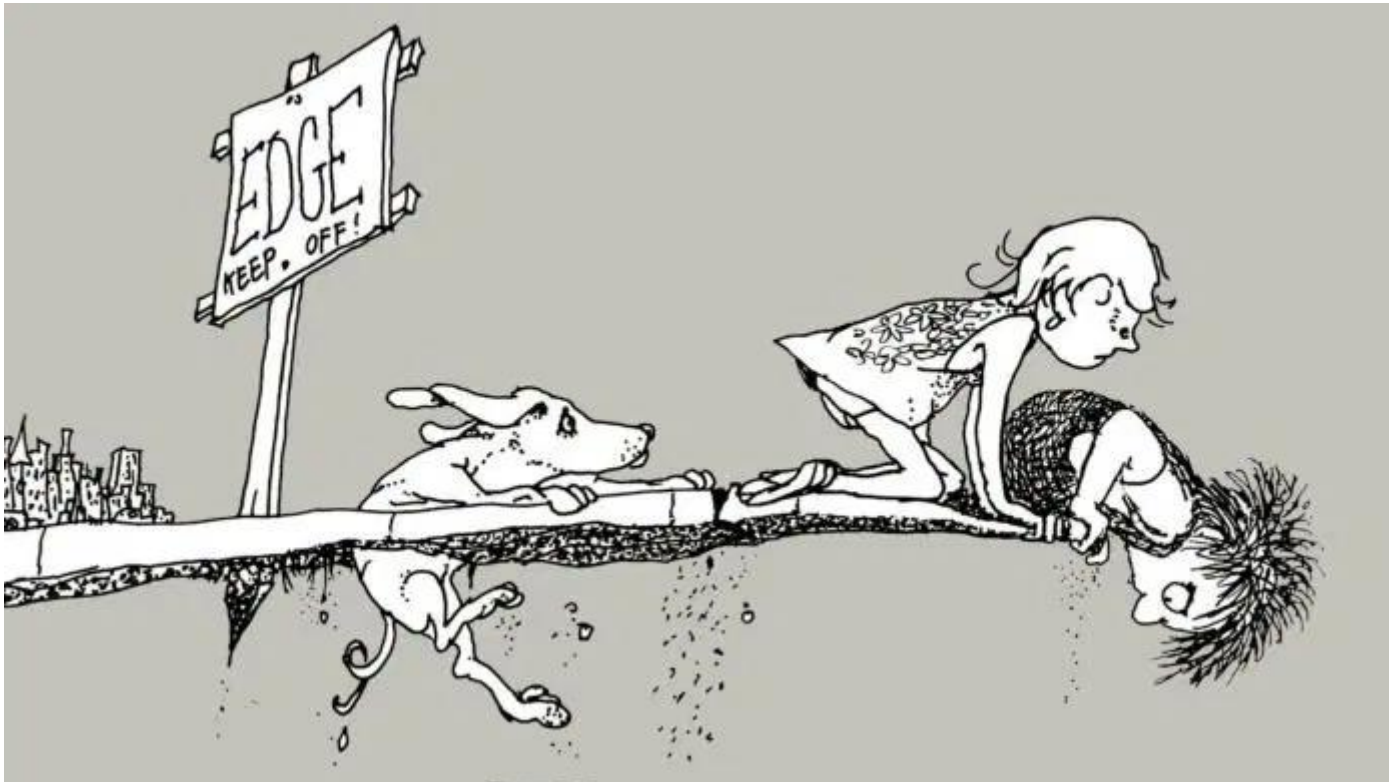
You ask for our view on smoking and lung cancer. Our view is that epidemiology has consistently shown a significant higher incidence of lung cancer in groups of people who smoke compared to groups of people who do not smoke. Our business continues with a decline of smoking, numbers of cigarettes smoked and with higher tar deliveries, and reduce in groups of people who quit smoking. In Western population around 85 to 90% of lung cancers occur in people who smoke, and the statistics suggest that around 1 in 10 lifetime smokers contract lung cancer. We believe it is reasonable to conclude, from an epidemiological perspective, that smoking is a major cause of lung cancer. Public health authorities have for decades claimed that smoking is a cause of lung cancer and have warned the public. We repeat this action.

It is also our opinion that we still do not understand why around 9 out of 10 lifetime smokers do not contract lung cancer. What is the biological mechanism that leads to lung cancer, what constitutions of tobacco smoke may be involved in the biological mechanism and what other lifestyle and genetic factors may modify lung cancer risk?

# Evaluation



# The End?



# Thank you!

**Adam Kintopf**  
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**Ann St. Claire**  
**D. Douglas Blanke**  
**David J. Willoughby**