

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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R.J. REYNOLDS TOBACCO COMPANY,  
LORILLARD TOBACCO COMPANY,  
COMMONWEALTH BRANDS, INC.,  
LIGGETT GROUP LLC, and SANTA FE  
NATURAL TOBACCO COMPANY, INC.,

**CIVIL ACTION NO. 1:11-cv-01482**

Plaintiffs,

v.

UNITED STATES FOOD AND DRUG  
ADMINISTRATION, MARGARET  
HAMBURG, Commissioner of the United  
States Food and Drug Administration; and  
KATHLEEN SEBELIUS, Secretary of the  
United States Department of Health and  
Human Services,

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Defendants.

**DECLARATION OF JOEL KURTZBERG**

I, Joel Laurence Kurtzberg, declare under penalty of perjury that the following is true and correct to the best of my knowledge, information, and belief:

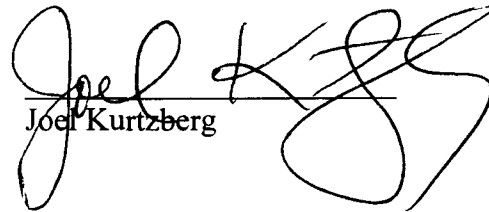
1. My name is Joel Laurence Kurtzberg. I am an attorney at Cahill Gordon & Reindel LLP, located at Eighty Pine Street, New York 10005. My office telephone number is (212) 701-3000.
2. I am a member in good standing of the Bar of the State of New York and am duly admitted to practice before and am duly admitted to practice before the United States Supreme Court, the United States Court of Appeals for the Second Circuit, the United States Court of Appeals for the Sixth Circuit, the United States Court of Appeals for the District of

Columbia, the United States District Court for the Southern District of New York, and the United States District Court for the Eastern District of New York.

3. I have never been the subject of any disciplinary action by the Bar or Court of any jurisdiction.
4. I have not sought admission *pro hac vice* in this Court within the last two years.
5. I do not practice law from an office located in the District of Columbia.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 15, 2011 in New York, New York.

  
Joel Kurtzberg