IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Commonwealth of Pennsylvania : By Michael Fisher, in his official : capacity as Attorney General of the : Commonwealth of Pennsylvania :

v. : No. 1241 C.D. 2009

:

Philip Morris, Inc; R.J. Reynolds
Tobacco Company; Brown &
Williamson Tobacco Corporation;
B.A.T. Industries, P.L.C.; The
American Tobacco Company, Inc.
c/c Brown & Williamson Tobacco
Corporation; Lorillard Tobacco
Company; Liggett Group, Inc.;
United States Tobacco Company; the
Tobacco Institute, Inc.; The Council
for Tobacco Research-U.S.A., Inc.;

Tobacco Institute, Inc.; The Council: for Tobacco Research-U.S.A., Inc.; : Smokeless Tobacco Council Inc.; : and Hill and Knowlton, Inc., :

:

Appeal of: R.J. Reynolds Tobacco Company

<u>ORDER</u>

AND NOW, this 13th day of October, 2010, having considered the Commonwealth's application for reargument and appellant's answer, the application is denied.

BY THE COURT:

BONNIE BRIGANCE LEADBETTER,

President Judge

Judges Leavitt and Brobson did not participate in this decision.