

**FOR IMMEDIATE RELEASE**  
**January 21, 2010**

**Los Angeles Jury Returns Defense Verdict for Lorillard**  
***Sixth "Kent Filter" Win Since 2000***

A Los Angeles state court jury returned a defense verdict Tuesday, Jan. 19, for Lorillard Tobacco Company in a product liability suit alleging injury from asbestos released from the filter in original Kent cigarettes (*Robert Cox and Carol Cox v. Lorillard Tobacco Company, et al.*, pending in Superior Court in Los Angeles, California). This is the sixth victory for Lorillard in Kent filter cases dating back to 2000.

The jury found that Mr. Cox smoked original Kent cigarettes with an asbestos-containing filter in the early 1950s, but that the cigarette filter was not defectively designed, that Lorillard was not negligent in making and testing the filter, and that Lorillard did not have a duty to warn Mr. Cox. The jury also returned a defense verdict for the maker of the filter media used in the original Kent filter – Hollingsworth & Vose – along with two other defendants, Rheem Manufacturing and Dowman, both of which made products Mr. Cox allegedly worked with when installing heating and cooling systems.

“This is a significant victory for Lorillard against very capable plaintiffs' attorneys in a very tough jurisdiction for defendants,” said Shook, Hardy & Bacon Partner David Thorne, counsel for Lorillard Tobacco Company. “The jury found that Lorillard did nothing wrong in designing, testing and selling Kent with the asbestos-containing filter in the 1950s.”

This is the sixth win for the Lorillard in Kent filter cases since 2000. In September 2008, a San Antonio state court jury returned a defense verdict for the company in the case of *Young v. Lorillard*, the last filter case to be tried.

Plaintiffs counsel, Gary Paul from the law firm of Waters & Kraus, asked the jury to award Mr. and Mr. Cox in excess of \$15 million for economic and non-economic damages, and sought an award of punitive damages. The jury returned a defense verdict for all defendants.

Robert Cox was diagnosed with mesothelioma on December 10, 2008, at the age of 79. He filed this action on March 11, 2009, alleging that he was exposed to asbestos while working as a heating and cooling repairman and from smoking Kent cigarettes with the asbestos-containing filter in the early 1950s. Lorillard introduced evidence at trial that the original Kent filter was highly effective at removing tar and nicotine and presented "state-of-the-art" evidence that use of asbestos in filters was reasonable (asbestos-containing filters were used in gas masks, respirators, and in hospital operating rooms in the 1950s).

Jury selection began November 30, 2009, and the jury returned their verdict on January 19, 2010. Judge Teresa Sanchez-Gordon presided over the case.

David Thorne and James Berger of Shook, Hardy & Bacon, and Ricardo G. Cedillo of Davis, Cedillo & Mendoza, represented Lorillard. Andrew McElaney of Nutter, McClennen & Fish and Randy Haimovici, of Shook, Hardy & Bacon, represented Hollingsworth & Vose.

Plaintiffs were represented by Gary Paul, Gibbs Henderson, and Tae-Yoon Kim of Waters & Kraus.

\*\*\*

**For additional information:**

**John P. Reilly**

Associate General Counsel – Lorillard Tobacco Company  
336.335.7703

**David Thorne**

Partner – Shook, Hardy & Bacon  
816.559.2118