UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,

:

Plaintiff,

Civil Action No.

v. : 99-2496 (GK)

:

PHILIP MORRIS USA, Inc., f/k/a Philip Morris, Inc. et al.

:

Defendants.

ORDER #471A

ADDITIONAL TRIAL PROCEDURES

Upon consideration of Order #471 and the new procedural issues which have arisen in the ongoing trial, the Court enters the following Order.

IV. B. 3. Procedures for Adverse Witnesses and Any Other Witnesses for Which a Written Direct Examination Cannot be Obtained

c. Proposed written direct testimony of an adverse witness will be served (not filed) upon the opposing party and the adverse witness by 5:00 p.m. on the Monday preceding the week in which such witness is scheduled to testify. By 12:00 p.m. on the Friday following that Monday, the adverse witness will then file and serve his or her corrected written direct testimony. In the corrected testimony, any proposed testimony that was subsequently corrected shall be shaded; corrections shall be italicized. In addition, any objections to the written direct testimony will also be filed and

served by that Friday at 12:00 p.m.. Responses to any objections will be filed and served by that Sunday at 5:00 p.m..

V. PRESENTATION OF PRIOR TRIAL OR DEPOSITION TESTIMONY (WRITTEN OR VIDEOTAPED)

No more than eight (8) witness designated "Prior" shall be offered in any week of trial.

It is so Ordered.

October 1, 2004

/s/
Gladys Kessler
United States District Court Judge