

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

JUN 2 1998
B239055

In the Matter of)
R.J. REYNOLDS TOBACCO COMPANY,) DOCKET NO. 9285
a corporation.)

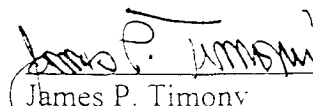
ORDER DENYING MOTION TO QUASH

Steven F. Goldstone, Chief Executive Officer of RJR Nabisco, Inc., the holding company that owns respondent, moves to quash subpoenas for a deposition issued at the request of complaint counsel, asserting that he is without unique personal knowledge of the subjects at issue and that compliance would disrupt Nabisco's business.

Mr. Goldstone has evidence relevant to this case. He recently testified, for example, before a House committee about his "conclusion that our company for a lot of reasons should not be using Joe Camel." Complaint Counsel should have the opportunity to ask Mr. Goldstone about the reasons and information underlying the decision to terminate the Joe Camel campaign and whether it was based on evidence of an effect on youth smoking.

Mr. Goldstone's plea that the deposition will impose hardship upon him and will disrupt Nabisco's business fails for lack of specificity. Complaint counsel will of course mitigate any such effect by holding a deposition reasonable in length and substance and convenient to him in time and place. Motion denied.

It is ORDERED that Mr. Goldstone shall be made available for deposition within thirty (30) days or at such time as complaint counsel and Mr. Goldstone can agree.


James P. Timony
Administrative Law Judge

Date: June 2, 1998