

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Civil Action No. 99-CV-2496 (PLF)
)	
v.)	
)	
PHILIP MORRIS USA INC., <i>et al.</i> ,)	
)	
Defendants.)	
)	
)	

CONSENT MOTION TO CONTINUE HEARING

The parties have reached agreement in principle on the website mockup and onsert design issues that the tobacco companies moved the Court to refer to mediation (Dkt. No. 6245; filed Jan. 24, 2018), and all parties respectfully submit this consent motion to continue the hearing currently set for 10 a.m. tomorrow, Tuesday, March 13, 2018, by the Court’s Memorandum Opinion and Order (Dkt. No. 6249; issued Feb. 27, 2018). The Court invited the parties to submit such a motion for continuance in the event “the parties resolve the remaining issues prior to the hearing.” *Id.* at 5.

The parties have identified some logistic issues that a (proposed) consent order will need to address, and anticipate that 14 days should be sufficient to reach agreement on them. Accordingly, the parties ask that the hearing be continued to Tuesday, March 27, 2018, or such later date as is convenient for the Court, unless the parties submit an agreed upon (Proposed) Superseding Consent Order for Websites and Onserts ahead of that date.

A proposed order is provided for the convenience of the Court.

Dated: March 12, 2018

Respectfully submitted,

GUSTAV W. EYLER, Acting Director
ANDREW CLARK, Assistant Director
Consumer Protection Branch

_____/s/_____
DANIEL K. CRANE-HIRSCH
Trial Attorney
Civil Division
United States Department of Justice
PO Box 386
Washington, DC 20044-0386
Telephone: 202-616-8242 (Crane-Hirsch)
Facsimile: 202-514-8742
daniel.crane-hirsch@usdoj.gov
*Attorneys for Plaintiff United States of
America*

_____/s/_____
Katherine A. Meyer (D.C. Bar 244301)
MEYER GLITZENSTEIN & EUBANKS
LLC
4115 Wisconsin Ave., N.W. Suite 210
Washington, DC 20016
202-588-5206
kmeyer@meyerglitz.com
*Attorney for the Public Health Plaintiff-
Intervenors*

_____/s/ Anand Agneshwar_____
Anand Agneshwar
ARNOLD & PORTER KAYE SCHOLER
LLP
250 West 55th Street
New York, NY 10019-9710
Telephone: (212) 836-8011
Fax: (212) 836-8689

Miguel A. Estrada (D.C. Bar No. 456289)
GIBSON, DUNN & CRUTCHER LLP

1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5306
Telephone: (202) 955-8257
Fax: (202) 530-9016

*Attorneys for Defendants Altria Group, Inc.
and Philip Morris USA Inc.*

Peter J. Biersteker (D.C. Bar No. 358108)
JONES DAY
51 Louisiana Avenue, N.W.
Washington, D.C. 20001-2113
Telephone: (202) 879-3939
Fax: (202) 626-1700

Jeffrey A. Mandell (D.C. Bar No. 999791)
STAFFORD ROSENBAUM LLP
222 West Washington Avenue, Suite 900
Madison, Wisconsin 53703
Telephone: (608) 256-0226
Fax: (608) 259-2600

Geoffrey K. Beach (D.C. Bar No. 439763)
WOMBLE CARLYLE SANDRIDGE &
RICE, LLP
One West Fourth Street
Winston-Salem, NC 27101
Telephone: (336) 721-3600
Fax: (336) 721-3660

*Attorneys for Defendant R.J. Reynolds
Tobacco Company (individually, as
successor in interest to Brown & Williamson
Tobacco Corporation, and as successor to
Lorillard Tobacco Company)*

Robert J. Brookhiser, Jr. (D.C. Bar No.
202168)
Elizabeth B. McCallum (D.C. Bar No.
451361)
BAKER & HOSTETLER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: (202) 861-1500

Fax: (202) 861-1783

*Attorneys for Post-Judgment Parties
Regarding Remedies ITG Brands, LLC,
Commonwealth Brands, Inc. and
Commonwealth-Altadis, Inc.*