

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 99-2496 (GK)
 :
 PHILIP MORRIS USA INC., :
 f/k/a PHILIP MORRIS INC., *et al.*, :
 :
 Defendants. :

ORDER #987

Six organizations -- Tobacco-Free Kids Action Fund, American Cancer Society, American Heart Association, American Lung Association, Americans for Nonsmokers' Rights, and National African American Tobacco Prevention Network ("Intervenors") -- have moved to intervene under Federal Rule of Civil Procedure 24 "for the very limited purpose of being heard on the issue of the permissible and appropriate remedies in this case, should the Court find the defendants liable for the unlawful activities alleged in the Amended Complaint by the plaintiff United States." Mot. to Intervene, p. 1. The Government has taken no position on the Motion.¹ Upon consideration of the Motion, Joint Defendants' Opposition, the Reply, the extensive case law cited in the pleadings, and the entire record in this case, the Court concludes that for the reasons stated in the accompanying Memorandum Opinion, the Motion should be **granted**.

¹ Proposed Intervenors state that, by taking no position regarding the merits of the motion, the Government has conceded the validity of their arguments. That position is an overstatement, to say the least.

WHEREFORE, it is this 22nd day of July, 2005, hereby

ORDERED that the Motion to Intervene shall be **granted** under Fed. R. Civ. P. 24(a).

/s/

Gladys Kessler

United States District Judge

Copies via ECF to all counsel of record