

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

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

**ORDER #29-Remand**

On August 18, 2011, in Order 26-Remand [Dkt. No 5949], the Court ruled that from and after September 15, 2011, it would exercise jurisdiction and supervision over the Minnesota Depository. Since that time, with the assistance of Depository staff, the Court has been reviewing the operation of the Depository. It has come to the Court's attention that there is some degree of confusion and uncertainty about the proper interpretation and application of Chief Judge Lawrence Cohen's Orders of January 12, 1999. In particular, there is concern about whether Defendants' document removals have complied with the procedures spelled out by Chief Judge Cohen in his Order.<sup>1</sup> If and when Removals are not handled properly, the public suffers because the removed documents are no longer available to public inspection. A temporary halt to all document removals would prevent further problems while the Court is determining how to proceed in this matter and to ensure maximum public access to the documents in the Depository.

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<sup>1</sup> Documents removed by Defendants and classified as privileged or confidential are separated from the public documents in the Depository and stored in the Secured Documents Room which is closed to the public.

**WHEREFORE**, it is this 29th day of December, 2011, hereby

**ORDERED**, that no Defendant shall remove any documents from the population available to the public at the Depository until further Order of the Court.

/s/ \_\_\_\_\_  
Gladys Kessler  
United States District Judge

**Copies via ECF to all counsel of record**