

JUL 21 1997

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

In the Matter of)
)

) DOCKET NO. D-9285
)

R.J. REYNOLDS TOBACCO COMPANY)
)

a corporation.)
)

PROTECTIVE ORDER
GOVERNING CONFIDENTIAL MATERIAL

In the interest of assuring that matters raised by this proceeding are open to the public and

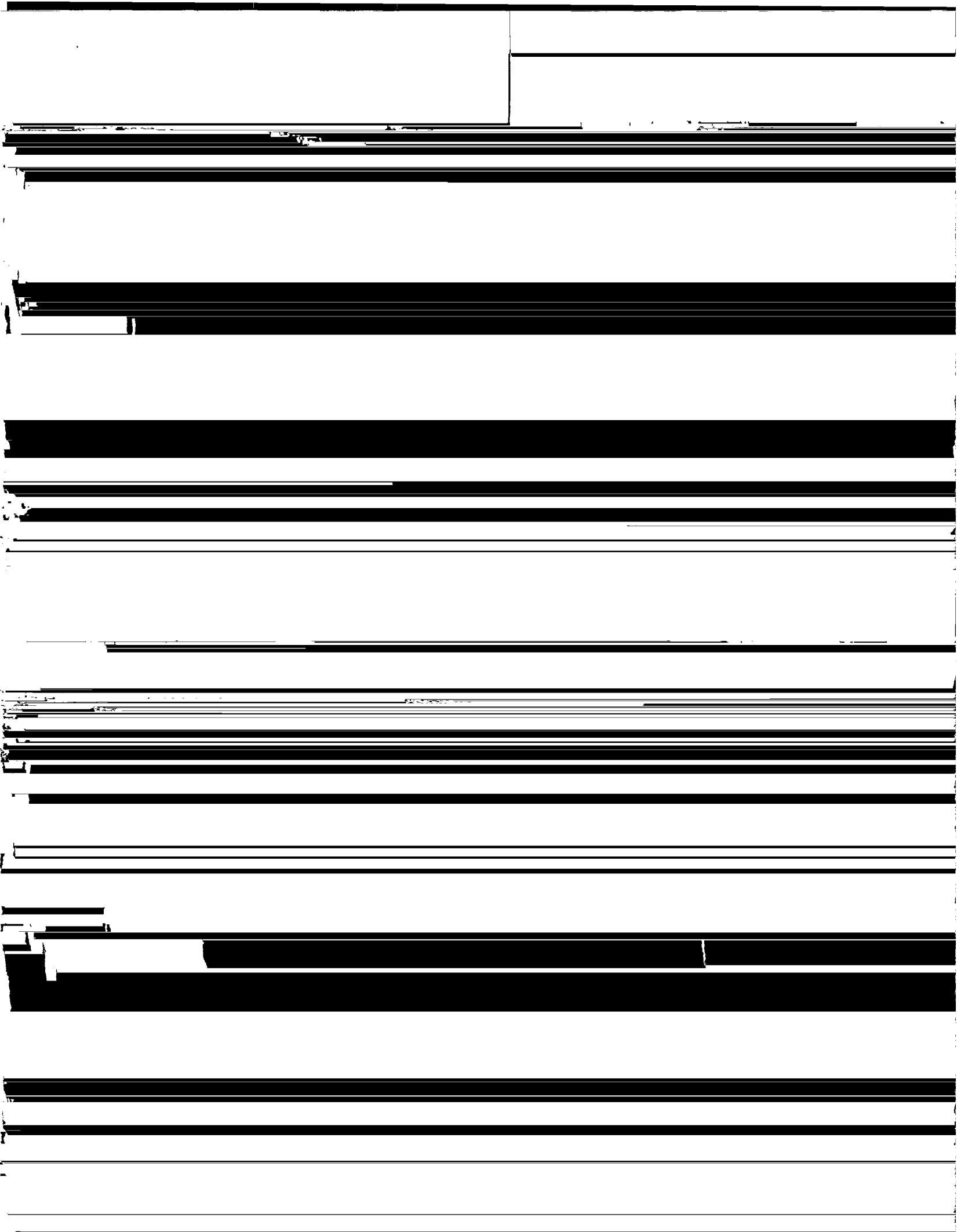
Practice of the Federal Trade Commission (the "Commission" or "FTC"), Fed. R. Civ. P. 26(c), and in the cases so construing them; and (d) any other documents provided in compliance with informal discovery requests or discovery requests pursuant to the Commission's Rules of Practice that are designated "confidential material" in accordance with Paragraph 4 of this Protective Order. For purposes of this Order, "document" shall refer to any item in the possession of a party or a third party encompassed by the term "documents" found in the Commission's Rules of Practice Section 3.34(b), as well as to any such item previously obtained by the Commission during its pre-complaint investigation.

2. As used in this Order, "respondent" shall refer to R.J. Reynolds Tobacco Company, a corporation, its parent company or corporation, and all of its predecessors, divisions,

referred to as "designating party") may designate any document or any portion of any document submitted in response to such discovery requests as "confidential material," including documents obtained pursuant to discovery or as otherwise obtained.

5. In conducting discovery from third parties, complaint counsel and respondent shall provide to each third party a copy of this Order so as to apprise each such party of his, her or its rights herein.

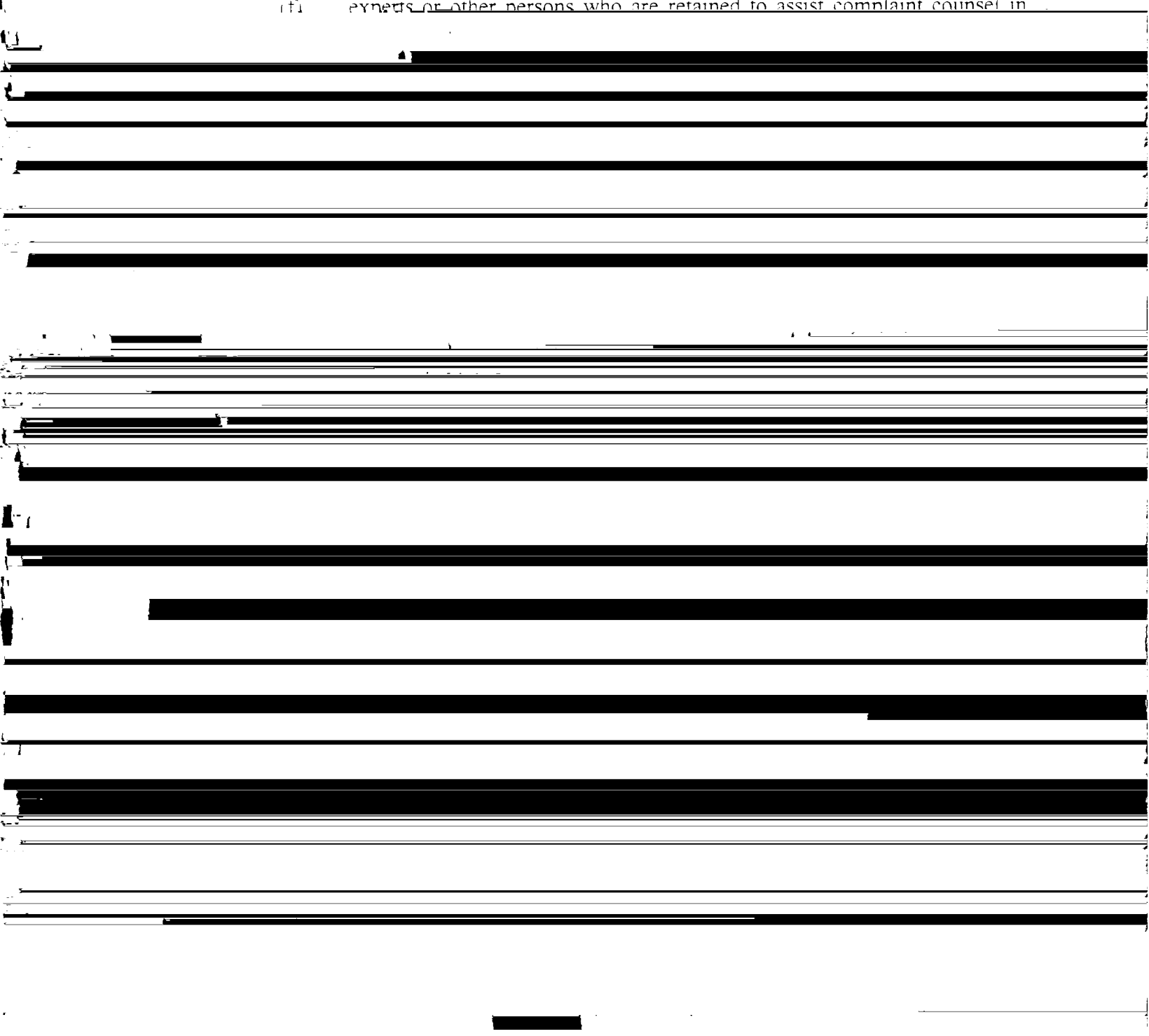
5. A designation of confidentiality shall constitute a representation by counsel for the party or third party making the designation that the document or the transcript, or any portion thereof so designated is not reasonably believed to be already in the public domain and that



involved in this proceeding:

(e) experts or other persons who are retained to assist respondent's counsel in preparing for trial or to give testimony at trial and clerical or other personnel assisting respondent's counsel throughout this proceeding:

(f) ~~experts or other persons who are retained to assist complaint counsel in~~

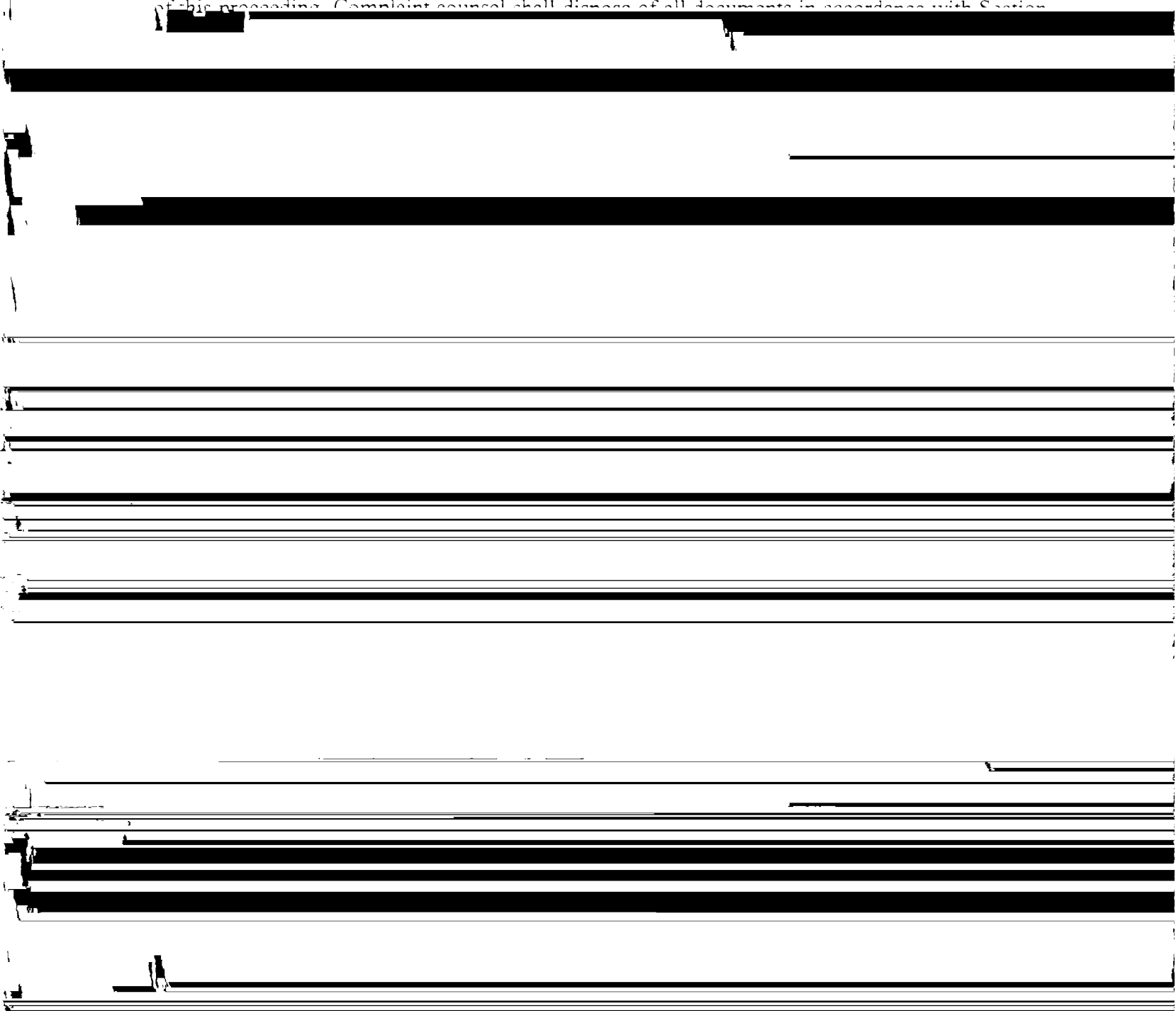


12. In the event that any confidential material is contained in any pleading, motion,

[REDACTED]

confidential material.

15. When any person described in Paragraph 10(f) ceases to participate in this proceeding, all copies of documents or portions thereof designated confidential that are in the possession of such person, together with all notes, memoranda or other papers containing confidential information, shall be returned by such person to complaint counsel. At the conclusion of this proceeding, Complaint counsel shall dispose of all documents in accordance with Section



confidential material to its employees, agents, former employees, board members, directors

redacted

SO ORDERED:

Administrative Law Judge

ATTACHMENT A

UNITED STATES OF AMERICA
BEFORE FEDERAL TRADE COMMISSION

Appended

return all copies of documents, or portions thereof, containing confidential material, and all notes, memoranda, or other papers containing confidential material, to complaint counsel or respondent's counsel.

4. I am fully aware that, pursuant to Section 3.42(h) of the Commission's Rules of Practice, 16 C.F.R. § 3.42(h), my failure to comply with the terms of the Order may

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]