

If you purchased Marlboro Lights or Marlboro Ultra Lights in the state of Arkansas, you could get money from a class action settlement.

A state court directed this notice. This is not a solicitation from a lawyer.

- A \$45 million Settlement has been reached in a class action lawsuit against Philip Morris USA Inc. (“Philip Morris” or “Defendant”) about, among other things, whether Marlboro Lights and Marlboro Ultra Lights cigarettes were deceptively advertised, marketed and sold as healthier to smoke than regular cigarettes. Philip Morris denies the allegations in the lawsuit, and the Court has not decided who is right.
- The Settlement offers payments to anyone who bought Marlboro Lights and Marlboro Ultra Lights cigarettes in the state of Arkansas between November 1, 1971 and June 22, 2010. Each payment will be based on the number of packs purchased and when they were purchased during that time period. If you are a Class member, you must file a claim in order to receive a payment.
- Your legal rights are affected whether you act or do not act. Read this notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT	
SUBMIT A CLAIM FORM	Submit a Claim Form seeking cash payment.
EXCLUDE YOURSELF	Request to be excluded and get no benefits from the Settlement. This is the only option that allows you to start or continue your own lawsuit against Phillip Morris for the claims at issue in the Settlement.
OBJECT	Write to the Court about why you do not like the Settlement.
GO TO A HEARING	Ask to speak in Court about the fairness of the Settlement.
DO NOTHING	Get no benefits. Give up any rights you might have to sue Phillip Morris about the claims resolved by the Settlement.

- These rights and options—**and the deadlines to exercise them**—are explained in this notice.
- The Court in charge of this lawsuit still has to decide whether to approve the Settlement. If it does, and after any appeals are resolved, benefits will be distributed to those who submit a valid claim form. Please be patient.

QUESTIONS? CALL 1-877-625-9432 OR VISIT WWW.MARLBOROLIGHTSCLASS.COM

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WHAT THIS NOTICE CONTAINS

BASIC INFORMATION PAGE 3

- 1. Why is there a notice?
- 2. What is this litigation about?
- 3. Why is this a class action?
- 4. Why is there a Settlement?

WHO IS PART OF THE SETTLEMENT PAGE 4

- 5. Who is included in the Settlement?
- 6. What if I am not sure whether I am included in the Settlement?

THE SETTLEMENT BENEFITS PAGE 4

- 7. What does the Settlement provide?
- 8. How do I file a claim?
- 9. When will I receive my payment?

EXCLUDING YOURSELF FROM THE SETTLEMENT PAGE 5

- 10. How do I get out of the Settlement?
- 11. If I do not exclude myself, can I sue the Defendant for the same thing later?
- 12. What am I giving up to stay in the Settlement Class?
- 13. If I exclude myself, can I still get a payment?

THE LAWYERS REPRESENTING YOU PAGE 6

- 14. Do I have a lawyer in the case?
- 15. How will the lawyers be paid?

OBJECTING TO THE SETTLEMENT PAGE 7

- 16. How do I tell the Court if I do not like the Settlement?

THE COURT'S FAIRNESS HEARING PAGE 8

- 17. When and where will the Court decide whether to approve the Settlement?
- 18. Do I have to attend the Fairness Hearing?
- 19. May I speak at the Fairness Hearing?

IF YOU DO NOTHING PAGE 9

- 20. What happens if I do nothing at all?

GETTING MORE INFORMATION PAGE 9

- 21. How do I get more information?

BASIC INFORMATION

1. Why is there a notice?

A Court authorized this notice because you have a right to know about the proposed Settlement of a class action lawsuit and about all of your options before the Court decides whether to give final approval to the Settlement. This notice explains the lawsuit, the Settlement, and your legal rights.

Judge Timothy D. Fox of the Circuit Court for Pulaski County, Arkansas, is overseeing the case, known as *Wayne Miner and James Easley, Individually, and on behalf of all others similarly situated v. Philip Morris Companies, Inc. and Philip Morris, Incorporated*, Case No. CV 2003-4661.

2. What is this litigation about?

The lawsuit is about, among other things, whether Philip Morris advertised, marketed and sold Marlboro Lights and Marlboro Ultra Lights cigarettes as healthier than regular cigarettes in a manner that had the capacity to deceive consumers who purchased Marlboro Lights and Marlboro Ultra Lights in Arkansas. Plaintiffs allege that, among other things, during the Class Period Philip Morris engaged in the practice of marketing and selling its Marlboro Lights and Marlboro Ultra-Lights cigarettes as “Lights,” “Ultra Lights,” “lower tar and nicotine,” “low tar and nicotine.” Plaintiffs allege that Defendant falsely represented that Marlboro Lights and Marlboro Ultra Lights were less harmful and that they delivered lower tar and nicotine in comparison to regular Marlboro cigarettes when in fact Lights do not deliver lower tar and nicotine than regular Marlboro cigarettes when actually smoked. Plaintiffs contend that Lights cigarettes are no less harmful, and might actually be more dangerous, than regular Marlboro cigarettes. This case does not involve claims for actual damages suffered as a result of that person’s addiction, personal injury or any health-related illness resulting from that person smoking Marlboro Lights or Ultra Lights cigarettes.

Philip Morris continues to deny the claims and allegations in the lawsuit but has agreed to settle the case to avoid further substantial expense and the inconvenience and distraction of protracted and burdensome litigation.

The Plaintiffs’ Second Amended Complaint, Philip Morris’ Answer to the Second Amended Complaint, the Settlement Agreement, and other case-related documents are posted on the website, www.MarlboroLightsClass.com. The Settlement resolves the lawsuit. The Court has not decided who is right.

3. Why is this a class action?

In a class action, one or more people called “Class Representatives” (in this case, Wayne Miner and James Easley) sue on behalf of all people who have similar claims. Together, these people are called a “Class” or “Class members.” The people who sued—and all Class members like them—are called “Plaintiffs” and the company they are suing—Philip Morris—is called “Defendant.” One court resolves the issues for all Class members, except for those who exclude themselves from the Class.

4. Why is there a Settlement?

The Court has not decided in favor of the Plaintiffs or Defendant. Instead, both sides have agreed to the Settlement. By agreeing to the Settlement, the Parties avoid the costs and uncertainty of a trial, and if the Settlement is approved by the Court, Settlement Class members who file a valid claim form

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will receive the benefits described in this notice. The proposed Settlement does not mean that any law was broken or that Philip Morris did anything wrong. Philip Morris denies all legal claims in this case. Plaintiffs and their lawyers think the proposed Settlement is best for everyone who is affected.

WHO IS PART OF THE SETTLEMENT

5. Who is included in the Settlement?

The Settlement includes all persons who purchased Defendant's Marlboro Light or Marlboro Ultra Light cigarettes in the state of Arkansas for personal consumption from November 1, 1971 through June 22, 2010. Excluded from the Class are Defendant, any parents, subsidiary, affiliate, or controlled person of Defendant, as well as the officers, directors, agents, servants, or employees of Defendant, and the immediate family members of such persons.

6. What if I am not sure whether I am included in the Settlement?

If you are still not sure whether you are included, you can visit the website, www.MarlboroLightsClass.com, call 1-877-625-9432, send an email to info@MarlboroLightsClass.com, or write to Arkansas Marlboro Lights Class Action, PO Box 4349, Portland, OR 97208-4349, for more information.

THE SETTLEMENT BENEFITS

7. What does the Settlement provide?

The Plaintiffs claim that the total value of the benefits to the Class exceeds \$45 Million. Class Benefits include the \$45 Million Settlement Fund, which will be used to make payments to Class members who timely file valid claims and cost of administration of the Settlement, attorneys' fees and litigation costs, and Class Representative fees.

Payments will be made to Class members who file valid claims and will be calculated as follows:

- 10 cents per pack for each pack purchased between November 1, 1971 and April 17, 1998
- 25 cents per pack for each pack purchased between April 18, 1998 and April 18, 2003; and
- 10 cents per pack for each pack purchased between April 19, 2003 and June 22, 2010;

If the total value of submitted claims exceeds the money available in the Settlement Fund, each claim payment will be reduced pro rata. If the total value of submitted claims are less than the money available in the Settlement Fund, each claim payment may be increased pro rata. If you do not complete your claim in its entirety, it will be processed, but the available refund will be automatically reduced to the amount in the incomplete claim form or \$50.00, whichever is less.

In addition to the cash benefits to the Class, Plaintiffs claim to have benefited the Class through the litigation activity, publicity and public awareness, which helped result in the removal of Marlboro Lights and Marlboro Ultra Lights from the market.

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8. How do I file a claim?

In order to receive a cash payment you must complete and submit a valid Claim Form. You can easily file your claim online at the www.MarlboroLightsClass.com. You may also download a Claim Form from the website and file it by mail or call the toll-free number and request a Claim Form be mailed to you.

Your Claim must be filed online no later than midnight Central Time on **December 1, 2016**. Claim Forms sent by mail must be postmarked on or before **December 1, 2016** to:

Marlboro Lights Claims
P.O. Box 4349
Portland, OR 97208-4349

Please read the Claim Form carefully, follow all of the instructions and provide all the information required. If you have questions about how to file your claim that cannot be answered by this notice or by reviewing the information at the Settlement Website, you may call the Settlement Administrator at 1-877-625-9432.

9. When will I receive my payment?

Payments to Class members who file eligible claims will be made only after the Court grants “final approval” to the Settlement and after any appeals are resolved (*see* “The Court’s Fairness Hearing” below). If there are appeals, resolving them can take time. Please be patient.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you do not want benefits from the Settlement, and you want to keep any right you might have to sue Philip Morris about the issues in this case, then you must take steps to get out of the Settlement. This is called excluding yourself or “opting out” of the Settlement Class.

10. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a letter or other written document by mail to:

Marlboro Lights Settlement Administrator
P.O. Box 4349
Portland, OR 97208-4349

Your request for exclusion must clearly state that you want to be excluded from *Wayne Miner and James Easley, individually and on behalf of all others similarly situated v. Philip Morris USA Inc.*, Case No. CV 2003-4661. Be sure to include your full name, address, telephone number, and the period of time (including approximate dates) over which you purchased in Arkansas Marlboro Lights and/or Marlboro Ultra-Lights. For authorized representatives, the exclusion request must include a statement of the basis for the signing person’s authority to sign on behalf of the Class Member requesting exclusion. Your exclusion request must be postmarked no later than **November 1, 2016**. You cannot ask to be excluded on the phone, by email, or at the website.

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11. If I do not exclude myself, can I sue the Defendant for the same thing later?

No. Unless you exclude yourself, you give up any right you might have to sue Philip Morris for legal claims that the Settlement resolves. You must exclude yourself from the Settlement Class in order to try to maintain your own lawsuit. If you start your own lawsuit, you will have to hire your own lawyer, and you will have to prove your claims.

12. What am I giving up to stay in the Settlement Class?

Unless you exclude yourself from the Settlement, you cannot sue or be part of any other lawsuit against Philip Morris about the issues in this case, including any existing litigation, arbitration, or proceeding. All of the decisions and judgments by the Court will bind you and you will be releasing Philip Morris from all of the claims described and identified in Section V(A)(26) of the Settlement Agreement.

The Settlement Agreement is available at www.MarlboroLightsClass.com. The Settlement Agreement provides more detail regarding the release and describes the released claims with specific descriptions in necessary, accurate legal terminology, so read it carefully. You can talk to the law firms representing the Class listed below in Question 14 for free, or you can, at your own expense, talk to your own lawyer if you have any questions about the released claims or what they mean.

13. If I exclude myself, can I still get a payment?

No. You must choose between excluding yourself or receiving a payment from the Settlement Fund. If you exclude yourself from the Settlement, you cannot file a claim and will not get a payment from the Settlement Fund.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer in the case?

The Court has appointed several lawyers to represent you as “Class Counsel,” including the following:

Thomas P. Thrash
Marcus N. Bozeman
THRASH LAW FIRM, P.A.
1101 Garland Street
Little Rock, AR 72201

Joe J. Fisher, II
Guy Fisher
W. Michael Hamilton
PROVOST UMPHREY LAW FIRM, LLP
490 Park Street
Beaumont, TX 77704

John Eddie Williams, Jr.
Edwin Armistead Easterby
Brian Abramson
Sean McCarthy
WILLIAMS, KHERKHER
HART, BOUNDAS, LLP
8441 Gulf Freeway, Suite 600
Houston, TX 77017

Dewitt M. Lovelace
LOVELACE & ASSOCIATES
12879 Hwy 98 West, Suite 200
Miramar Beach, FL 32550

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These lawyers are experienced in handling similar cases. You will not be charged for these lawyers. If you want to be represented by another lawyer, you may hire one to appear in Court for you at your own expense.

15. How will the lawyers be paid?

Class Counsel will request an award of attorney's fees plus reimbursement of reasonable expenses to be paid from the Settlement Fund. The Court will decide the amount of fees and expenses to award.

Class Counsel also will request Class Representatives' fees to be paid from the Settlement Fund to each of the Class Representatives for their service as representatives on behalf of the whole Settlement Class. The Court will decide the amount of Class Representatives' fees.

For additional information about these requests, including how to view Class Counsel's requests, how to object and Court consideration of the requests, *see* Question 16.

OBJECTING TO THE SETTLEMENT

16. How do I tell the Court if I do not like the Settlement?

If you are a Settlement Class member and do not exclude yourself from the Settlement, you can object to any part of the Settlement by submitting a letter to the three addresses listed below. To object, you must submit a letter or other written document that includes the following

- The name of this lawsuit, *Wayne Miner and James Easley, individually and on behalf of all others similarly situated v. Philip Morris USA Inc.*, Case No. 60CV03-4661;
- Your full name, address, telephone number, and e-mail address;
- Information sufficient to establish that you are a member of the Class;
- A written statement of all grounds for the objection, accompanied by any legal support for the objection;
- The identity of all counsel representing you;
- The identity of all counsel representing you who will appear at the Fairness Hearing or Fee Hearing;
- Your signature or the signature of your duly authorized attorney or other duly authorized representative (along with documentation setting forth such representation);
- A list, by case name, court, and docket number, of all other cases in which you (directly or through counsel) has filed an objection to any proposed class action settlement or proposed class action fee award;
- A list, by case name, court, and docket number, of all other cases in which your counsel (on behalf of any person or entity) has filed an objection to any proposed class action settlement or proposed class action fee award;
- A list, by case name, court, and docket number, of all other cases in which you have been a named plaintiff in any class action or served as lead plaintiff class counsel.

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Mail your objection to each of the following three different places so that it is postmarked no later than **November 1, 2016**:

CLERK OF THE COURT	CLASS COUNSEL	DEFENDANTS' COUNSEL
Larry Crane Pulaski County Circuit Clerk 401 W. Markham Street, Suite 100 Little Rock, AR 72201	Thomas P. Thrash THRASH LAW FIRM, P.A. 1101 Garland Street Little Rock, AR 72201	John Massaro Arnold & Porter LLP 601 Massachusetts Ave., NW Washington, DC 20001-3743

You may also object to Class Counsel's request for attorneys' fees and expenses and request for Class Representatives' fees. The Court will hold a Fee Hearing after the December 1, 2016 deadline for the filing of claims. After it is scheduled, the Fee Hearing date and time will be posted at www.MarlboroLightsClass.com. Class Counsel will submit their fee request at least twenty days prior to the scheduled hearing date for the fee application. Once these requests are submitted to the Court by Class Counsel, the requests will be posted on the settlement website (www.MarlboroLightsClass.com).

To object to Class Counsel's requests, submit your objection postmarked at least 10 days prior to the Fee Hearing.

If you or your counsel wish to appear at the Fee Hearing, at least 10 days prior to the Fee Hearing you must file a notice of intention to appear with the Court and serve this notice on Class Counsel and Defendant's Counsel (*see* addresses above). The notice shall set forth the basis of the objection, summarize the nature and source of any evidence you intend to present at the Fee Hearing, and identify the name, position, address, and telephone number of each person who intends to appear at the Fee Hearing on your behalf.

THE COURT'S FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Settlement and any requests for fees and expenses ("Fairness Hearing").

17. When and where will the Court decide whether to approve the Settlement?

The Court has scheduled a Fairness Hearing on **November 21, 2016 at 1:30 p.m. CST** at the Pulaski County Circuit Court, Division 6, 401 West Markham Street, Little Rock, Arkansas 72201. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check www.MarlboroLightsClass.com for updates. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them at that time. After the hearing, the Court will decide whether to approve the Settlement. It is unknown how long this decision will take.

The Court will also set a hearing to consider requests by Class Counsel for attorneys' fees and expenses and Class Representatives' fees. For additional information about these requests for fees and expenses, including how to view Class Counsel's requests, how to object and the Court's consideration of these requests, *see* Question 16.

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18. Do I have to attend the Fairness Hearing?

No. Class Counsel will answer any questions the Court may have. But, you are welcome to attend the hearing at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you submitted your written objection on time, to the proper addresses, and it complies with the other requirements set forth above, the Court will consider it. You also may pay your own lawyer to attend the hearing, but it is not necessary.

19. May I speak at the Fairness Hearing?

You may ask the Court for permission to speak at the Fairness Hearing. If you wish to appear at the Fairness Hearing, either in person or by counsel, for the purpose of objecting to any aspect of the Settlement or the Settlement Agreement, you must file with the Court and serve on Class Counsel and Defendant's counsel, no later than **November 1, 2016**, a notice of your intention to appear. The notice must set forth the basis of your objections, summarize the nature and source of any evidence you intend to present at the Fairness Hearing, and identify the name, position, address, and telephone number of each person who intends to appear at the Fairness Hearing on behalf of you. The Notice of Intention to Appear must include copies of any papers, exhibits or other evidence that the objecting Class member or counsel for the objecting Class member will present to the Court at the Final Approval Hearing. Only a Class member who files a Notice of Intention to Appear may appear in person or by counsel and be heard to the extent permitted under applicable law and allowed by the Court, in opposition to the fairness, reasonableness and adequacy of the Settlement and on Plaintiffs' Counsel's application for an award of attorneys' fees and costs. The address for the Clerk of the Court and for Class Counsel and Defendant's counsel is listed in Question 16 above.

IF YOU DO NOTHING

20. What happens if I do nothing at all?

If you are a Class member and do nothing, you will not get benefits from the Settlement and you will be bound by the judgment entered by the Court. This means you will not be able to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit or proceeding against Philip Morris about the statements and claims at issue in this case.

GETTING MORE INFORMATION

21. How do I get more information?

This notice summarizes the proposed Settlement. More details are in the Settlement Agreement. For a complete, definitive statement of the Settlement terms, refer to the Settlement Agreement at www.MarlboroLightsClass.com. You may also write with questions to the Settlement Administrator at Marlboro Lights Settlement Administrator, P.O. Box 4349, Portland, OR 97208-4349, or call the toll-free number, 1-877-625-9432.

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