

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
UNITED STATES OF AMERICA,)	
	Plaintiff,)	
and)	
)	Civil Action
TOBACCO-FREE KIDS ACTION FUND, <i>et al.</i> ,)	No. 99-CV-02496 (GK)
	Plaintiff-Intervenors,)	
)	Next scheduled appearance:
v.)	None Scheduled
)	
PHILIP MORRIS USA INC.,)	
f/k/a PHILIP MORRIS INC., <i>et al.</i> ,)	
)	
	Defendants.)	
_____)	

DECLARATION OF MICHAEL ERIKSEN, Sc.D

MICHAEL ERIKSEN, hereby declares as follows:

1. I am the Director of the Institute of Public Health at Georgia State University. My professional and educational background, credentials and experience are set forth in my Written Direct Testimony filed in this Court on January 17, 2005 at pages 4 through 29 ("WD (Liability)"). The Court referenced some of my credentials in its August 17, 2006 Final Opinion at pages 993-95.

2. I testified during the trial of this matter, and was accepted by the Court as an expert in the field of Public Health. Trial Tr. At 11460. I offered opinions and testimony in the liability and remedies portions of the trial. My Written Direct Testimony regarding remedies, including the need for corrective communications, was filed in the Court on May 9, 2006 ("WD (Remedies)").

3. I have reviewed this Court's August 17, 2006 Final Judgment and Remedial Order # 1015 ("Order 1015"), and particularly the provisions regarding "Corrective Statements" found at pages 4-6, ¶¶ 5-7.

4. I believe that certain of my opinions expressed at trial and the research and expertise I relied upon are important to consider in fashioning and disseminating corrective statements, pursuant to this Court's Order 1015. In particular, my opinions related to the importance of communicating effective health messages are based on my thirty years of public health experience, together with the scientific literature I have reviewed, evaluated and participated in drafting. As I testified before the Court, the extensive marketing campaigns and public statements of the defendants have had a lasting and dire effect on the health of the public and need to be accurately and permanently corrected.

5. I am of the opinion that the corrective statements required by the Court should be devised in a professional manner by an independent third party, consistent with my testimony in this case. There are many professional firms well qualified to test, devise and evaluate the communications of the nature required by the Court to assure that they have their desired effect.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 12th day of October, 2006, in Atlanta, Georgia.



Michael Eriksen