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11 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 FOR THE COUNTY OF SAN DIEGO

13  
14 PEOPLE OF THE STATE OF CALIFORNIA,  
ex rel Edmund G. Brown Jr., Attorney General  
15 of the State of California,

16 Plaintiff,

17 v.

18 R.J. REYNOLDS TOBACCO COMPANY,  
a New Jersey corporation,

19 Defendant.  
20  
21

CASE NO.: JCCP 4041

**APPLICATION FOR ORDER TO  
SHOW CAUSE/MOTION FOR  
ENFORCEMENT OF THE CONSENT  
DECREE AND MASTER SETTLEMENT  
AGREEMENT/RESTRAINING THE USE  
OF CARTOONS**

Hearing Date: December 4, 2007  
Time: 1:30 p.m.  
Department: 71  
Judge: Hon. Ronald S. Prager

22 The People of the State of California, by and through Edmund G. Brown Jr., Attorney  
23 General of the State of California, allege as follows:

24 **INTRODUCTION**

25 1. In November 1998, the People of the State of California through the Attorney General  
26 (the People) and the major tobacco companies, including defendant R.J. Reynolds Tobacco  
27 Company (Reynolds), stipulated to entry of a Consent Decree and Final Judgment (Consent  
28 Decree) and signed the Master Settlement Agreement (MSA), settling the State's landmark

1 litigation against the tobacco companies, *People of the State of California, et al. v. Philip Morris*  
2 *Inc., et al.*, Judicial Council Coordination Proceeding No. 4041. In that litigation, the People  
3 alleged, inter alia, that the tobacco companies illegally targeted minors in the advertising and  
4 marketing of tobacco products using cartoons and other means, thereby inducing them to  
5 purchase and smoke addictive and harmful tobacco products illegally.

6 2. The MSA was approved by the San Diego Superior Court, the Hon. Ronald S. Prager  
7 presiding, as part of the Consent Decree entered by the Court on December 9, 1998. A central  
8 provision of the Consent Decree and the MSA, intended to further the MSA's goals of  
9 reducing underage tobacco use and promoting public health, is the prohibition against taking any  
10 action, either directly or indirectly, to target youth in the advertising of tobacco products.

11 Cartoons in cigarette advertising are specifically prohibited in the MSA and the Consent Decree.  
12 MSA § III (b), Consent Decree § V. B. Reynolds has violated these prohibitions by its cartoon  
13 laden Farm Rocks promotions in its nine page advertisement spread in the November 15, 2007  
14 *Rolling Stone* magazine, its web site [www.thefarmrocks.com](http://www.thefarmrocks.com) and other promotional events.

15 Therefore, the People request that Reynolds be ordered to show cause why it should not  
16 be immediately restrained from using cartoons in its advertising in *Rolling Stone*, its web site or  
17 any other venue. The People request civil penalties, attorneys fees, and costs pursuant to the  
18 Consent Decree § VI. D.

19 DATED: December 3, 2007

20 Respectfully submitted,

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