



Evans v. Lorillard Tobacco Co., 465 Mass. 411 (Mass. 2013)

Topics Covered: Anti-tobacco

Outcome: Unfavorable

Issue

The issue in this case was whether Lorillard Tobacco Company should be held liable for selling mentholated cigarettes, targeted toward African-American children.

AMA Interest

The AMA, in keeping with its objective of protecting the public health, supports a smoke-free America.

Case Summary

Marie Evans, an African-American, grew up in a public housing project in Roxbury, Massachusetts. In the late 1950s and early 1960s, Lorillard gave away samples of mentholated cigarettes to children living in the project, including Ms. Evans. She became addicted and ultimately died from smoking related cancer.

The trial court awarded her estate \$25 million in compensatory damages and \$81 million in punitive damages. It also awarded her son \$10 million. Lorillard appealed to the Massachusetts Supreme Judicial Court.

In June 2013, the Supreme Judicial Court reversed on a number of issues and remanded for further determinations in the trial court.

AMA Involvement

The AMA, along with numerous other anti-smoking organizations, filed an *amicus* brief, which emphasized the addictive nature of menthol cigarettes and their propensity for causing cancer and other diseases.

Massachusetts Supreme Judicial Court brief