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PRESS RELEASE

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**U.S. DISTRICT COURT ISSUES INJUNCTION AGAINST BIG TOBACCO AND NEW YORK'S  
LATEST EFFORTS TO DESTROY THE FREE MARKET**

Dallas, Texas- <http://www.StatesOnTheTake.com>, the grassroots advocacy site which published the September 12<sup>th</sup>, 2003 “*Privileged and Confidential*” Memo by the National Association of Attorneys General (“NAAG”), that brought to light the ongoing collusive partnership between state governments and *Big Tobacco*, has just published the entire opinion of the just issued *Freedom Holdings, Inc. v. Eliot Spitzer and the Attorney General's Office of New York et. al.*

In order to further their stealth partnership with *Big Tobacco* and establish the desired de-facto *Big Tobacco* monopoly through the Master Settlement Agreement (“MSA”), like many of other 46 states who are party to this “settlement” otherwise realized as a stealth partnership with *Big Tobacco*, New York had recently attempted to drastically alter the MSA which, as originally enacted, provided for substantial refunds to independent tobacco producers/retailers a.k.a. “Non-Participating Members” (“NPMs”) of payments which each NPM is required to make to an escrow account of each participating state in which the NPM does business (“Allocable Share Release Provision”).

In issuing his ruling, Judge Alvin K. Hellerstein stated that “the repeal of the Allocable Share Release Provision[...], *took away the NPM's reversionary right to escrow payments beyond the rights or needs of particular states*[...]” (*emphasis added*). Hellerstein issued the injunction by concluding that “This evidence suggests, therefore, *that plaintiffs, and other NPMs on whose behalf they also bring suit, are likely to be caused – and in some cases appear already to have been caused – irreparable injury stemming from the repeal of the Allocable Share Release provision.*” (*emphasis added*).

This ruling has triggered the filing of law suits across the country by NPMs who plan to challenge other states' attempts to destroy their ability to compete in the marketplace by retaining the NPM's “Allocable Share” Payments. To read Judge Hellerstein's opinion in its entirety, and to stay current on this and other MSA matters and ongoing/expanding litigation – visit <http://www.StatesOnTheTake.com>.