

Louisiana Update

The following update on the State of Louisiana's case for medical recovery against the tobacco industry was prepared by outside counsel for the the State.

Oral arguments were held on the first motions filed in the La AG's Medicaid Tobacco Litigation. The AG prevailed on all outstanding motions, as follows:

- Procedural Capacity: The Defendants challenged the AG's capacity to bring the action on behalf of the state. The court ruled that the AG did have the capacity to bring the action on behalf of the state.
- Transfer: The Defendants moved to transfer the case to the state capital, however, the court ruled that there was no legal basis to transfer the case.
- Insurance: The Defendants have agreed to produce liability policies within 30 days that may provide coverage for the AG's claims . La has a right of direct action against the carriers thus, allowing the AG to name the carriers as defendants in the case.