

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES

In the Matter of)	
)	
Altria Group, Inc.,)	
a corporation,)	Docket No. 9393
)	
and)	
)	
JUUL Labs, Inc.)	
a corporation,)	
)	
Respondents.)	

**ORDER GRANTING NON-PARTY REYNOLDS AMERICAN, INC.’S
SECOND MOTION FOR *IN CAMERA* TREATMENT**

By Order issued May 26, 2021, the first motion for *in camera* treatment filed by non-party Reynolds American, Inc. (“RAI”) was granted in part and denied without prejudice in part (“May 26 Order”). Pursuant to that Order, RAI filed a second motion for *in camera* treatment for materials that the parties have listed on their exhibit lists as materials that might be introduced at trial in this matter. No party opposes the motion. For the reasons set forth below, RAI’s motion is GRANTED.

The standards by which RAI’s motion is evaluated are set forth in the May 26 Order. RAI seeks *in camera* treatment for portions of two documents, for a period of five years, that it asserts constitute competitively sensitive confidential business information. RAI supports its motion with a declaration from an assistant secretary. RAI seeks *in camera* treatment for four narrow categories: the dollar figure spent by RAI on the PMTA application for its VUSE Alto product; RAI’s financial return on the sale of its vapor products; the precise name of the supplier of RAI’s VUSE products and the location of the production of the VUSE devices and cartridges; and the manner in which RAI considers earnings targets or financial goals in setting the prices of VUSE products.

With respect to RAI’s request for *in camera* treatment of portions of the deposition transcript of Lamar Huckabee (PX7037/RX0109), RAI has narrowed the designated page and line numbers it seeks to shield. Accordingly, with respect to PX7037/RX0109, RAI’s motion is GRANTED. *In camera* treatment, for a period of five years, to expire June 1, 2026, is GRANTED for the following portions of PX7037/RX0109: 120:19-121:4 and 122:7-9.

With respect to RAI's request for *in camera* treatment of portions of the declaration of Lamar Huckabee (PX8008/RX1981), RAI has narrowed the designated paragraphs it seeks to shield. Accordingly, with respect to PX8008/RX1981, RAI's motion is GRANTED. *In camera* treatment, for a period of five years, to expire June 1, 2026, is GRANTED for the designated information in the following paragraphs of PX8008/RX1981: 21, 38, and 41.

ORDERED:



D. Michael Chappell
Chief Administrative Law Judge

Date: June 3, 2021