

# CAMPAIGN For TOBACCO-FREE Kids®

## QUOTES FROM ENGLE TRIAL JURORS ON THE TOBACCO INDUSTRY

After two years and 157 witnesses, the jurors in the Engle trial decided to hold the tobacco industry accountable for their actions and to award \$145 billion in punitive damages to the Florida smokers harmed by the cigarette companies' illegal and wrongful acts. Although this punitive damage award is the biggest in U.S. history, it represents only a fraction of the harm caused by the tobacco industry over the past several decades. The six jurors in the Engle case said they wanted to send a message to the tobacco industry for knowingly selling a defective product, marketing to kids, and intentionally lying to the public and their own customers about the harms from smoking and its addictive power.

The jury awarded the \$145 billion in punitive damages despite attempts by the cigarette companies' lawyers and top executives to convince the jury that the tobacco companies had changed their ways and were now responsible corporate citizens. The jury did not believe that the tobacco industry has changed, nor did they believe the defense lawyers when they said the industry could afford to pay only \$150 to \$375 million in punitive damages and that any higher award would put the individual companies out of business.

- **"They feel they are above reproach. They committed fraud. They lied to the American public. They devastated millions of lives."**  
- Leighton Finegan, jury foreman. New York Times, 16 July 2000, 1(M).
- **"It affected me more when I started looking into the documents and seeing the deception. It was frightening."**  
- John Mestre, juror. New York Times, 16 July 2000, 1(M).
- **"Their lawyers never admitted the companies were doing anything wrong. They were denying everything from the beginning. They were trying to fool us."**  
- Delvia Ferreyra, juror. New York Times, 16 July 2000, 1(M).
- **"It was insulting, it's just the tobacco industry's mentality, that they are beyond challenge. No one has ever challenged them and won."**  
- Leighton Finegan, jury foreman. New York Times, 16 July 2000, 1(M).

- **"We had a sense of mission, and we did not want to ignore the tremendous devastation that the product has caused. The number had to match that. It had to be significant. "**
  - Leighton Finegan, jury foreman. New York Times, 16 July 2000, 1(M).
- **"I think it was fair. The object was to send a message that what was happening wasn't going to cut it in terms of the behavior of the tobacco companies."**
  - John Mestre, juror. New York Times, 16 July 2000, 1(M).
- **"The defense insulted our intelligence in the way they presented the evidence. For example, the way they promoted their Web site where they [report scientific findings that] smoking is dangerous. But they never said, 'We agree with that.' "**
  - Leighton Finegan, jury foreman. LA TIMES, 15 July 2000.
- **"We thought it was fair. It would bring to the forefront, for the first time in the history of this country, the issues surrounding this product and the millions of lives that have been affected by this. And it would put the companies on notice -- not just the tobacco companies, all companies -- concerning fraud or misrepresentation of the American public."**
  - Leighton Finegan, jury foreman. New York Times, 16 July 2000, 1(M).
- **"For a period of 50 years, these tobacco companies denied the dangers of their product,"**
  - Leighton Finegan, jury foreman. New York Times, 16 July 2000, 1(M).
- **"They belittled or denied causation of the health effects of smoking and addiction, and had the gall to challenge public health authorities."**
  - Leighton Finegan, jury foreman. New York Times, 16 July 2000, 1(M).
- **"You can't just say you're sorry after 50 years."**
  - Gary Chwast, juror. The Orlando Sentinel, 16 July 2000.
- **"To us, that was unbelievable," the tobacco lawyers explanation that plaintiff Frank Amodeo`s throat cancer was caused by wood dust the clockmaker had inhaled at work, not cigarettes "It was insulting to me and an incredible level of denial in the face of all the evidence and the earlier verdict."**
  - Leighton Finegan, jury foreman. The Orlando Sentinel, 16 July 2000.
- **"They brought nobody to bring the real figures... Based on their track record, we couldn't believe anything they said. They weren't forthcoming with the real value of the companies."**
  - John Mestre, juror. McQuillen, William. Bloomberg, 16 July 2000.

- **"The old days of 'nicotine is not addictive, anyone can quit,' are over,"**  
- John Mestre, juror. Zawada, Adrian. Winston Salem Journal, 17 July 2000.

*National Center for Tobacco-Free Kids, July 21, 2000*

### **Full Citations**

Bragg, Rick and Sarah Kershaw. "Juror says a sense of mission led to huge tobacco damages." New York Times, 16 July 2000, 1(M).

Clary, Mike " Sentenced to Service, Foreman Says Trial Cost Jurors Too." LA TIMES, 15 July 2000.

"Jurors: Tobacco needed a lesson." The Orlando Sentinel, 16 July 2000.

" Tobacco loses its swagger." The Orlando Sentinel, 16 July 2000.

" Miami Jurors Didn't Trust Tobacco Industry's Financial Claims." Bloomberg, 16 July 2000.

Zawada, Adrian. "Internal documents made difference in trial, two say." Winston Salem Journal, 17 July 2000.