Stenberg: Answers needed before state files tobacco suit

fore he gets Nebraska involved in a Senate campaign," Stenberg, a Repub-lawsuit seeking to recover taxpayer lican who sought the GOP senate nomi-filed suit against tobacco companies costs for treating smoking-related ill-

More than a dozen other states have filed such suits against tobacco companies and the Nebraska Department of Social Services has asked Stenberg to look into the feasibility of Nebraska doing the same.

had a list of questions that needed an- a legal opinion," she said. swers before he would consider filing such a lawsuit. One of the questions was whether the politics of U.S. Senate candidate, Gov. Ben Nelson, was at the heart of the request.

Stenberg said the timing of the request from an agency under Nelson's client to tell his attorney what legal control raised political questions. He noted that the request came during the recent Democratic National Conven- officials could sit down with Stenberg's tion where party leaders highlighted tobacco issues.

OMAHA (AP) — Attorney Gen-eral Don Stenberg wants answers be-ing for the benefit of Ben Nelson's U.S. a joint effort. nation in May, wrote to Social Services

But Stenberg said this week that he response to a nonpolitical request for .

She was also puzzled by several other questions Stenberg raised, including one for the department to identify a legal theory under which such a suit could be filed successfully:

"I don't think it's appropriate for a theories exist," she said.

Thomas said she hoped department staff soon to work through the issues involved in such a lawsuit. She agreed whether your letter is a good-faith re- questions to be answered, but she said for the cigarette manufacturer.

over public health costs related to Director Don Leuenberger on Monday. smoking. States, including Kansas and Deb Thomas, deputy director for Oklahoma, claim that the cigarette Social Services, denied political moti- manufacturers conspired to mislead vation in the request for the lawsuit, and misinform the public about their which she said had been discussed in products even after their own researchthe department for nearly two months. ers told them there were links between "I thought it was a very political cigarettes and cancer.

One small tobacco company recently settled a suit with the state of Mississippi, agreeing to change its advertising practices and to pay a small financial settlement.

Thomas said it was the settlement by Liggett Inc. that first got her department interested in the tobacco litigation. But the battle apparently is not going as easily elsewhere.

In Minnesota, Philip Morris is spending \$1.25 million a week reviewing and processing documents for the health-care lawsuit brought by the state "This raises serious questions as to with Stenberg that there are important of Minnesota, according to an attorney

I thought it was a very political reponse to a nonpolitical request for a legal opinion."

DEB THOMAS deputy director for Social Services

Philip Morris attorney Peter Sipkins said as many as 210 attorneys, legal assistants and secretaries worked to meet an Aug. 31 deadline to produce more than a million pages of internal documents requested by the state.

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"This is the largest document production in the history of Minnesota and is approaching one of the largest nationally," Sipkins told Judge Kenneth Fitzpatrick in a hearing Tuesday.

That suit involves six tobacco comand co-plaintiff Blue Cross and Blue risks.

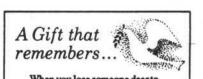
Shield of Minnesota are seeking reimbursement for the cost of treating Medicaid patients for smoking-related ill-

Stenberg said Nebraska "should neither rush into litigation nor rule out the possibility."

He said considerations should be whether such a suit could be successful, how much it would cost, whether the state could prove damages suffered and if it was appropriate to sue tobacco companies when products such as alpanies and two trade groups. The state cohol and junk food also pose health

CORRECTION

Because of a reporting error in the Sept. 11 story, "Moeser stresses excellence," numbers concerning UNL retirement benefits were off, said James Ford, English professor and president-elect of the Academic Senate. UNL lags behind peer-group universities in retirement benefits by 6 percent, not 3 percent, Ford said. Also, he said, the Academic Senate wants to raise the benefits from the legal limit of 8 percent to 12 percent.



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