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June 28, 2006

VIA FEDERAL EXPRESS

Honorable Chief Justice Ronald M. George
and Honorable Associate Justices
Supreme Court of California
350 McAllister St., Room 1295
San Francisco, CA 94102-3600

Re: *Bullock v. Philip Morris USA, Inc.* (S143850)
Request for Review (Cal. Rules of Court, rule 28(g))

Dear Chief Justice George and Associate Justices:

On behalf of the Chamber of Commerce of the United States of America ("the Chamber"), and pursuant to California Rule of Court 28(g), we write in support of the petition of Philip Morris Inc. for review of the decision of the Court of Appeal in *Bullock v. Philip Morris USA, Inc.*, S143850.

The Chamber is the nation's largest federation of business companies and associations, with underlying membership of more than 3,000,000 businesses and professional organizations of every size and in every sector and geographic region of the country. The sound and equitable administration of punitive damages claims is a matter of profound concern to the Chamber's members.

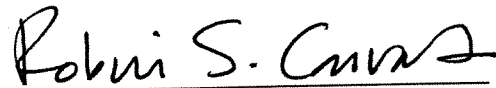
There are three questions presented by the petition: (1) whether a punitive damage award that is more than 33 times larger than an already substantial compensatory damage award is permissible; (2) whether a trial court must instruct the jury not to punish a defendant for harm done to nonparties; and (3) whether a court reviewing a punitive award for excessiveness must consider that the defendant has already been punished for the same conduct.

Each of these questions is important and recurring, and each affects the Chamber's members significantly. The prospect of multiple, successive suits stemming from a single course of alleged conduct is one faced by businesses with increasing frequency. The confusion in the law concerning these questions is reflected in the Court of Appeal's decision, which, we respectfully submit, erred in upholding the massive punitive award in this case. The need for

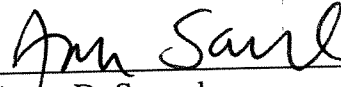
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clarification is also demonstrated by the United States Supreme Court's recent grant of certiorari in *Philip Morris USA, Inc. v. Williams* (May 30, 2006, 05-1256) ___ S.Ct. ___ [2006 WL 849676], a case that concerns the very issues presented here. At a minimum, therefore, the petition in this case should be granted and held for *Williams*.

Respectfully submitted,



Robin S. Conrad



Amar D. Sarwal

Counsel for the Chamber of Commerce of
the United States of America

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Re: *Bullock v. Philip Morris USA, Inc. (S143850)*
Request for Review (Cal. Rules of Court, Rule 28(g))

I, Alicia R. Harris, declare as follows:

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On June 28, 2005, I served the foregoing document described as:

**Chamber of Commerce *Amicus Curiae* Letter In Support of
Petition for Review**

on the interested parties in this action by placing true copies thereof in sealed envelopes addressed as follows:

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Executed on June 28, 2005, at Chamber of Commerce of the USA, 1615 H Street,
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I declare under penalty of perjury and under the laws of the District of Columbia
that the above is true and correct.


Alicia R. Harris