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★ MAR 21 2002 ★

BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THE EUROPEAN COMMUNITY, et al.

Plaintiffs,

v.

02-CV-00164 (NGG)

JAPAN TOBACCO, INC., et al.,

Defendants.

----- X
THE EUROPEAN COMMUNITY, et al.

Plaintiffs,

v.

01-CV-05188 (NGG)

RJR NABISCO, INC., et al.,

Defendants.

----- X
DEPARTMENT OF AMAZONAS, et al.

Plaintiffs,

v.

00-CV-02881 (NGG)

PHILIP MORRIS COMPANIES, INC., et al.,

Defendants.

----- X

ORDER

GARAUFIS, District Judge.

Now before this court is a FED. R. CIV. P. 59(e) motion brought by defendants in the following two of the three above-titled cases: The European Community, et al. v. RJR Nabisco.

Inc., et al., and Dep't of Amazonas, et al. v. Philip Morris Cos., Inc., et al. Defendants seek to amend and clarify the Judgment entered by the clerk of the court on February 25, 2002, pursuant to this court's Memorandum and Order of February 19, 2002. Because the Memorandum and Order of February 19, 2002, and the Judgment of February 25, 2002, dealt equally with all three of the above-titled cases, this court sua sponte applies this Order to the above-titled The European Community, et al. v. Japan Tobacco, Inc., et al. as well.

This court hereby ORDERS that the Clerk of the Court for the Eastern District of New York AMEND the Judgment of February 25, 2002, to clarify the following: that the plaintiffs shall take nothing of the defendants; that the defendants' motions to dismiss the complaints are granted in their entirety; that the plaintiffs' RICO and common law claims on the defendants' smuggling scheme are dismissed with prejudice; and the plaintiffs' RICO and common law claims on the defendants' money laundering transactions are dismissed without prejudice.

SO ORDERED.

Dated: March 21, 2002
Brooklyn, New York

Nicholas G. Garaufis
United States District Judge