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# Marlboro Smoker Was Target Of Deception, Jury Hears

By **Cara Salvatore**

Law360 (January 23, 2025, 10:24 PM EST) -- Philip Morris targeted a Massachusetts preteen as a "replacement" customer for others who were dying of lung disease, a Springfield jury heard Thursday, though the company's lawyer said the woman had free will and knew enough to stop smoking.

The jury heard opening arguments in the trial from the husband and two daughters of Lisa Morris, who died of lung cancer, her lawyer said. As a preteen in the 1970s, she received cigarettes from the company as part of its formal sampling program to that age group. The company gave her a sample cigarette at a well-known annual fair called The Big E, the lawyer said.

"Philip Morris marketed to children as replacement smokers knowing half would eventually die prematurely. That's foreseeable, that's intentional, that's clearly what we're talking about here," Allan Kanner of Kanner & Whiteley, the lawyer for Mike Morris, Lisa Morris' widower, told the jury.

Lisa Morris was born in 1962 and started smoking at age 12 in 1974, Kanner said, caught up in a wave of promotion to minors that came out of the company's internal strategies of the day.

Kanner showed the jury a 1973 internal memo describing the company's youth-directed sales plans.

"Use younger models in advertising situations; Develop promotional items to stimulate young smoker trial; Create sampling programs — i.e. — the Marlboro Summer Sampling Plan," it said in a lettered list.

Meanwhile, the company was vociferously denying smoking's harms from 1953 to at least 1994, he said, part of the reason punitive damages will be warranted.

Kanner said that quitting smoking is not simple or straightforward because nicotine is addictive.

The plaintiffs plan to bring a Harvard expert witness who looked at Lisa Morris' medical records and the depositions relating to her medical course, Kanner said, and found she had "a severe diminishment in autonomy."

"People are hardwired differently from birth," Kanner said. "Lisa, she had the most severe type of addiction ... She couldn't stop smoking when she was pregnant with two daughters."

He said she tried prescription aids for quitting numerous times. Morris was found to have Stage 4 lung cancer in 2018, Kanner said.

But Philip Morris' lawyer, Hildy Sastre of Shook Hardy & Bacon, said Lisa Morris was not experiencing a terrible addiction.

"Lisa Morris was an intelligent woman. Lisa Morris was a capable person. She was someone who worked in the medical field as an administrator for many, many years ... She was repeatedly warned about the dangers of her smoking by her family, by her friends," Sastre said.

There were also warnings on every pack she ever smoked and warnings from her doctors, Sastre said.

Lisa Morris' father-in-law had died from lung cancer in 1992, and she didn't take that warning either,

Sastre said. Yet, Morris was able to quit smoking for periods of time, Sastre told the jury.

"Even addicted smokers can and do quit every single day," Sastre said.

The Morris family is represented by Allan Kanner of Kanner & Whiteley PC.

Philip Morris is represented by Hildy Sastre of Shook Hardy & Bacon.

The case is Morris v. Philip Morris, case number 2179-CV-00242, in the Hampden County Superior Court, Massachusetts.

--Editing by Peter Rozovsky.

*For more of this trial, see Courtroom View Network.*

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