



## The Mogin Law Firm Distributes \$3.45 Million in Cy Pres Awards from Smokeless Tobacco Settlement Funds to San Diego Legal Societies, Organizations and Charities

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SAN DIEGO, Jan 20, 2010 (BUSINESS WIRE) -- The Mogin Law Firm has distributed \$3.45 million to 10 San Diego legal societies, organizations and charities as part of \$40 million in cy pres awards from settlement funds in the Smokeless Tobacco Case I-IV, according to Daniel J. Mogin of The Mogin Law Firm, PC.

The organizations receiving cy pres awards include the Legal Aid Society of San Diego, the California Highway Patrol 11-99 Foundation, California Indian Legal Services, University of San Diego Legal Clinics, Feeding America San Diego, San Diego Volunteer Lawyer Program, United Way of San Diego, San Diego Audubon Society, California Western School of Law and Thomas Jefferson School of Law.

Total distributions were made to 45 California legal societies, organizations and charities, such as the Injured Marine Semper Fi Fund, Food Banks throughout California, Surfrider Foundation, California Ducks Unlimited, Sierra Club, Keep America Beautiful and the National Wildlife Federation.

"This is an unprecedented and truly astounding financial development for the San Diego Volunteer Lawyer Program," said Amy J. Fitzpatrick, Esq., Executive Director of the San Diego Volunteer Lawyer Program, Inc. "We are carefully considering a number of options, but, are certain to use the award to strengthen our financial base and to enhance our service delivery to those most in need in San Diego County. We are extremely grateful to Dan Mogin and other counsel involved with this litigation for including SDVLP in this tremendous award." "The \$400,000 gift we received from The Mogin Law Firm comes at a time when we need it most. The number of people living in poverty in San Diego County last year increased by a whopping 46,000 people to 367,000 people with approximately one-third of them being children," said Gary McDonald, president and CEO of Feeding America San Diego. "According to the 2000 US Census, 367,000 people living in poverty would place them as the 47th largest city in the United States! This is a critical time in which we need to help our neighbors in need and The Mogin Law Firm has responded in a very significant way." "In the Smokeless Tobacco Cases I-IV, a certified class of California smokeless tobacco purchasers alleged that U.S. Smokeless Tobacco and related entities ("U.S. Smokeless Tobacco") engaged in sales practices that made it possible for U.S. Smokeless Tobacco to monopolize the market for moist smokeless tobacco products in violation of the antitrust and consumer protection laws of the State of California. The plaintiffs alleged that, as a result, they paid more for U.S.

Smokeless Tobacco moist snuff tobacco products than they would have absent the alleged conduct. U.S. Smokeless Tobacco's moist smokeless tobacco products include Copenhagen(R), Skoal(R), Rooster(R), Red Seal(R), Bandits(R), Pouches(R) and Husky(R) (and including the different cuts and/or flavors thereof).

At the conclusion of class action cases, it is common to have funds that for a number of reasons cannot be distributed directly to the class members technically entitled to the funds. The doctrine of "cy pres" literally allows the court to do the "next best thing" and distribute the remaining funds to one or more charitable organizations. For more information on the Smokeless Tobacco Cases visit [www.californiasmokelesstobaccosettlement.com](http://www.californiasmokelesstobaccosettlement.com).

Other San Diego County charities and organizations that have received past cy pres awards through the efforts of The Mogin Law Firm include the Vista Community Clinic, Rady Children's Hospital, Mothers Against Drunk Driving, License to Freedom, Mama's Kitchen, Meals on Wheels, UCSD Medical School, St Jude Children's Research Hospital, Center for Employment Training, International Rescue Committee, The Council of Community Clinics, Women's Resource Center and Legal Aid Society of San Diego.

Based in San Diego, The Mogin Law Firm, P.C. specializes in plaintiffs' antitrust, consumer protection, investment and complex business and class action litigation. Dan Mogin has handled numerous savings and loan crisis cases and was part of a core group of "pooled claims counsel" for investor cases pooled with the FDIC and the Resolution Trust Corporation cases that resulted in settlements valued at over \$2.5 billion from Drexel, Milken, auditors, directors, officers and other professionals. For more information, call 619-687-6611 or visit [www.moginlaw.com](http://www.moginlaw.com).

SOURCE: The Mogin Law Firm, P.C.

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