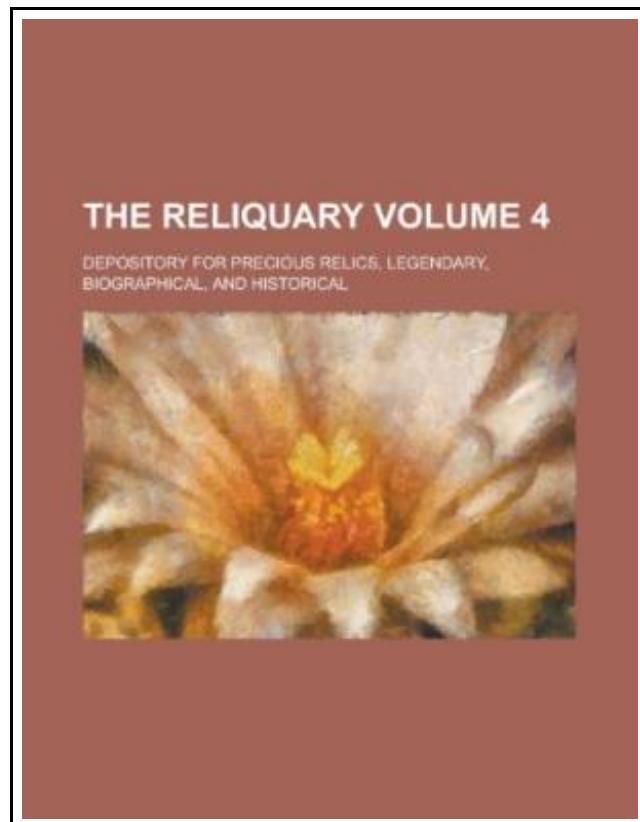


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RareBooksClub. Paperback. Book Condition: New. This item is printed on demand. Paperback. 110 pages. OCLC Number: (OCOlc)52180487 Subject: Products liability -- Firearms -- United States. Excerpt: . . . 15 The remoteness doctrine articulated in Anthony, Brame, and 91 92 93 Holmes has been embraced by the Second, Third, Fifth, 94 95 96 Sixth, Seventh, and Ninth Circuit Courts of Appeals, as well 97 as by multiple district courts, to bar claims brought by union health and welfare funds to recover medical expenses incurred on behalf of beneficiaries of the funds due to tobacco-related illnesses. 98 Since April 1999 alone, at least six Federal courts of appeals and 99 multiple Federal district courts have held - in cost-recovery cases nearly identical in theory to those brought by cities and municipalities against firearm manufacturers - that the remoteness doctrine bars damage claims by health benefits funds and other remote third-party payors of medical or other costs, as a matter of law. A 100 small number of district court opinions have disagreed. How-ever, subsequent decisions have effectively rejected or limited these minority opinions and have reasserted the importance of the re-101 moteness doctrine in those jurisdictions. These Federal decisions flow, in turn, from a large body of State common law dismissing remote and derivative claims as a matter of law. For example, the Connecticut Supreme Court followed this rule more than one hundred years ago in the case of Connecticut 91 See Laborers Local 17 Health and Benefit Fund v. Philip Morris, Inc. , 191 F.3d 229, *passim* ( 2d Cir. 1999 ), rehg and rehg en banc denied ( Aug. 6, 1999 ), as amended ( Aug. 18, 1999 ), and cert. denied, 120 S. Ct. 799 ( January 10, 2000 ). 92 See Steamfitters Local Union No. 420 Welfare...

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