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Exploding Issue of E-cigarettes & the Juul litigation

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Background Electric Nicotine Delivery Systems (ENDS)

1. ENDS originally marketed in 2003
 - Smoking cessation tool
 - Healthier
2. Estimated 9 million adults use ENDS
3. Estimated 3 million teens use ENDS
4. Basic design:
 - cartridge (nicotine/flavor)
 - atomizer (heat)
 - battery (power)
5. Over 500 different brands marketed in US

Alberg, Am J Epidemiology 2014
CDC 2016

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Types of E-Cigs/Vape Products



US Dept. Health and Human Services CDC 2016

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ENDS Case Changes From Exploding Batteries with the JUUL



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JUUL Labs, Inc.

Created by Adam Bowen and James Monsees

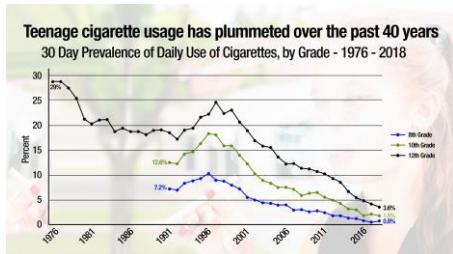


- JUUL'S corporate history began in 2007
 - The start-up company was Ploom, Inc.
- Prepared a joint thesis on product design involving the "future of smoking."
 - **Goal - disrupt the tobacco industry.**
- JUUL has more than 2x the amount of nicotine concentrates as other brands of e-cigarettes.
- According to Bowen, JUUL has a "bigger punch" compared to other nicotine products.



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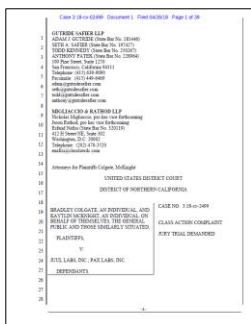
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But there is... Party Model!



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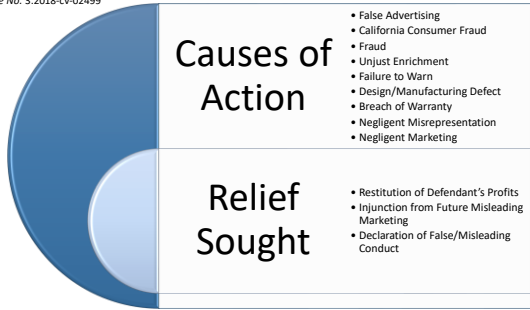
Colgate et al v. Juul Labs, Inc. et al
 Case No: 3:2018-cv-02499
 Filed April 26, 2018



District Judge William H. Orrick
 Northern District of California

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Colgate et al v. Juul Labs, Inc. et al
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JUUL & Warnings

When did user start Juuling?

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Nicotine and the Body

Brain/Mental	Immediate Physical	Long Term
<ul style="list-style-type: none"> Nicotine Addiction Nicotine as a gateway drug, leading to other addictions Mental health problems Depression Anxiety Panic attacks Mood disorders Attention disorders Exacerbation of these conditions Suicide 	<ul style="list-style-type: none"> Nicotine poisoning Seizures Strokes Heart attacks Collapsed lungs Severe pneumonia Hypertension Vascular damage Birth Defects 	<ul style="list-style-type: none"> Cardiovascular Diseases Lung Diseases Cancer

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Colgate et al v. Juul Labs, Inc. et al
Case No. 19-md-02913-WHO

<div style="font-size: 2em; font-weight: bold;">C</div>	<h2 style="margin: 0;">Causes of Action</h2> <ul style="list-style-type: none"> • False Advertising • Fraud • Unjust Enrichment • Failure to Warn • Design/Manufacturing Defect • Breach of Warranty • Negligent Misrepresentation • Negligent Marketing • Personal Injury
	<h2 style="margin: 0;">Relief Sought</h2> <ul style="list-style-type: none"> • Restitution of Defendant's Profits • Injunction from Future Misleading Marketing • Declaration of False/Misleading Conduct • Pain and Suffering • Punitive Damages

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Nicotine Arms Race - Pod-mod / Cartridge-Based E-Cigarettes Like JUUL Now Dominate the Market



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Two Countries Banned: India & China

Loss of Revenue

- JUUL sales were stopped in China days after launch.
- India has now banned the production and sale of all e-cigarettes.



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Criminal Investigation

Federal prosecutors in California are now conducting a criminal probe into e-cigarette maker JUUL.



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Questions?

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