

IN THE
Supreme Court of the United States

PHILIP MORRIS USA INC., PETITIONER

v.

ARMAND FONTAINE, INDIVIDUALLY AND AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF BARBARA
ELLEN FONTAINE

*ON PETITION FOR A WRIT OF CERTIORARI
TO THE MASSACHUSETTS SUPREME JUDICIAL COURT*

**BRIEF OF MANHATTAN INSTITUTE AS
AMICUS CURIAE IN SUPPORT OF PETITIONER**

CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(h), I certify that the document contains **4,023** words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct.

Sworn to and subscribed before me this 23rd day of September 2026.



AZA SALINDER DONNER
NOTARY PUBLIC
District of Columbia
My commission expires April 30, 2029.

