

IN THE
Supreme Court of the United States

PHILIP MORRIS USA INC.,

Petitioner,

v.

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

Respondent.

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

CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(h), I, Mark C. Fleming, a member of the bar of this Court, certify that the accompanying Brief for the Chamber of Commerce of the United States of America and the American Tort Reform Association as Amici Curiae Supporting Petitioner contains 5,101 words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d).

Executed on September 23, 2026.

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