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Northeastern University School of Law

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ACADEMIC PREPARATION

Massachusetts Institute of Technology, Cambridge, MA

Ph.D. in Urban Studies and Planning, specializing in Law and Social Policy, 1970-1980

Columbia University Sociology Department, New York, NY

M.A., 1968-1970

Faculty Fellow

Harvard Law School, Cambridge, MA

J.D. *cum laude*, 1964-1967

Harvard Legal Aid Bureau

Columbia College, New York, NY

A.B. *summa cum laude*, 1960-1964

Phi Beta Kappa

Siff (University-wide) Prize in Philosophy of Science

Kinne Prize in Humanities

Regents Scholarship

Bronx High School of Science, New York, NY

1957-1960

Mathematics Award

Honor Society

PROFESSIONAL EMPLOYMENT

Northeastern University School of Law, Boston, MA

University Distinguished Professor, 2012--present

Associate Dean for Academic Affairs, 2004-2006

Professor of Law, 1973-present

Associate Professor of Law, 1972-1973

Assistant Professor of Law, 1969-1972

Consultant and Lecturer, 1986-present

Tufts New England Medical Center, Boston, MA

Instructor in Psychiatry, 1976-1989

Expert Witness before various state insurance commissions, 1988

Consumers Union, New York, NY

Consultant, 1979

Columbia University School of Law, New York, NY

Associate in Law Teaching Fellow, September 1968-June 1969

Hon. Henry J. Friendly, United States Court of Appeals for the Second Circuit, New York, NY

Law Clerk, July 1967-August 1968

BAR ADMISSIONS

U.S. Court of Appeals, 5th Cir., 1996

U.S. Court of Appeals, 11th Cir., 1987

U.S. Court of Appeals, 6th Cir., 1986

U.S. Supreme Court, 1986

New York, 1967

AWARDS & RECOGNITION

Northeastern University Pioneer Award, 2022

Dr. William Cahan Distinguished Professor Award, 2005

Middlesex County Bar Association Champion of Justice Award, 1999

Who's Who in American Law, 6th ed.-present

Who's Who in America, 51st ed.-present

Who's Who in the World, 15th ed.-present

Who's Who in Finance and Industry, 31st ed., 1999

The Gleitsman Foundation Certificate of Special Recognition, 1998

Smoking or Health Award, American Lung Association of Massachusetts, 1991

RESPONSIBILITIES INVOLVING PUBLIC HEALTH ORGANIZATIONS

Public Health Advocacy Institute (2006-present), **Tobacco Control Resource Center, Inc.** (1993-2006), **Clean Indoor Air Educational Foundation** (1983-1992)

President, 1983-present

Chair, Tobacco Product Liability Project, 1984-present

Chair, Law and Obesity Project, 2002-present

Group Against Smoking Pollution of Massachusetts

President, 1983-present

Community Influences on Human Behavior Study Group, National Institutes of Health,
Member 2010 - 2014

Tobacco Products Litigation Reporter

Editor-in-Chief, 1985-2006

Tobacco Control

Associate Editor 1998 – 2018

Framework Convention Alliance

Board Member, 2006-present
Executive Committee Member, 2007-
Vice Chair, 2008 - 2010

Massachusetts Attorney General's Tobacco Settlement Advisory Committee

Chair, 2001-2002

Lay Advisory Board, Flight Attendants Medical Research Foundation

Chair, 2003-2005

Member, 2000-2003

Stop Teenage Addiction to Tobacco, Boston, MA

Board of Directors, 1990-2010

President, 1995-1998

Vice President, 1991-1995

Tobacco Control: An International Journal

Associate Editor, 1998-2016

Governing Council of American Public Health Association

Member, 2000-2002

Advisory Committee on Tobacco Policy and Public Health (Koop-Kessler Committee)

Member, 1997

American Society of Heating, Refrigeration and Air Conditioning Engineers, Standing Committee on Indoor Air Ventilation (SSPC-62), and Subcommittee on Health and Comfort

Member, 1992-1999

Tobacco Divestment Project

Advisory Board, 1990-1998

Tobacco Control Council, National Association for Public Health Policy

Secretary, 1990-2000

National Coordinating Committee on Tobacco Policy Research

Member, 1990-1993

Foundation for a Smoke-Free America

Advisory Board, 1989-2010

Americans for Nonsmokers Rights

Board of Directors, 1991-1998

New England Tobacco Control Professionals Study Group

Chair, 1989-1990

Harvard Institute for the Study of Smoking Behavior and Policy, Study Group

Member, 1986-1989

PUBLIC HEALTH GRANTS, CONTRACTS & SPECIAL PROJECTS

Principal Investigator, National Cancer Institute, Use of Personal Responsibility Rhetoric to Impede Public Health Measures, 2009 - 2016

Co-Principal Investigator, Robert Wood Johnson Foundation, Public Health Preparedness for Legislative and Regulatory Initiatives, 2008-2009

Principal Investigator, Substance Abuse Policy Research Program – Analysis of the US Department of Justice’s Racketeer Influences and Corrupt Organizations Act (RICO) lawsuit against the tobacco industry, 2007

Principal Investigator, Flight Attendant Medical Research Institute, Curtailing Second Hand Smoke Exposure Worldwide, 2005-2008.

Principal Investigator, National Cancer Institute, Influence of Legal Environment on Tobacco Industry Behavior, 2002-2008.

Principal Investigator, Substance Abuse Policy Research Program - Prohibiting Minors From Possessing Tobacco - a Comparison of Strategies from Eight Municipalities With Policy Recommendations based on Empirical Observation, 1999-2000.

Principal Investigator, Robert Wood Johnson Foundation, Analyzing Cigar Regulation and Other Legal Interventions to Reduce Cigar Use, 1999-2002.

Principal Investigator, Robert Wood Johnson Foundation, Americans with Disabilities Act Smokefree Policy Research and Evaluation Project, 1994-1995.

Principal Investigator, MTCP Americans with Disabilities Act Smokefree Demonstration Project, 1994-1996.

Principal Investigator, Massachusetts Tobacco Control Program, Legal Policy Research Project, 1994.

Principal Investigator, National Cancer Institute, Legal Interventions to Reduce Tobacco Use, 1995-1999.

Principal Investigator, Robert Wood Johnson Foundation, Legal and Political Strategies for Local Tobacco Control.

Peer Reviewer, medical and public health journals and book publishers, University of California Tobacco Related Disease Research Program, National Institutes of Health, Robert Wood Johnson Substance Abuse Prevention Research Program, and various Surgeon General's Reports.

Submitted *amicus curiae* briefs in five appellate cases, as well as to the U.S. Supreme Court.

Wrote model for Massachusetts ordinances banning smoking in public places, 1975.

CONGRESSIONAL TESTIMONY & MEDIA APPEARANCES

Testified (or submitted testimony) before congressional and state legislative committees, Federal interagency Committee on Smoking & Health, administrative agencies, and local governmental bodies in several states. Appeared on national television and radio programs (including "Nightline," "Today," "This Week with David Brinkley," "McNeil-Lehrer," "Frontline," "Crossfire," "Inside Business," CBS, NBC and ABC Evening News, and "All Things Considered"), on British, German, Japanese and Spanish television, on British, Canadian, Australian, New Zealand and Korean radio, and on local programs in many cities extensively quoted in national magazines and newspapers (including *Time*, *Business Week*, *Barrons*, *New York Times*, *Washington Post*, and *Wall Street Journal*), in the international press, in wire service stories, in syndicated columns, in regional newspapers throughout the U.S., and in legal and medical publications. Subject of feature articles in *Wall Street Journal* (April 20, 1987), *New*

York Times (February 14, 1988), and *Boston Sunday Globe* (May 1, 1994).

SELECTED DOMESTIC & INTERNATIONAL LECTURES

Presented on Tobacco Control and Obesity Issues in 54 Countries

President's Cancer Panel (Virginia, 2007).

"Economic, Political and Legal Approaches to Obesity Control," Institute pour Medicine Sociale et Preventive, (Lausanne, Switzerland, 2006).

"Using Tobacco Litigation Effectively," First Conference of the Parties, Framework Convention on Tobacco Control, (Geneva, Switzerland, 2006).

"Can Litigation Help End the Obesity Epidemic? A Comparison with Tobacco Litigation," talk given at the Harvard School of Public Health (Boston, MA, 2003).

Presenter at Managing Globalization to Improve Health, "Riding East: The Global Tobacco Control Movement and the Role of Mass Media," Harvard Health Caucus at Harvard Medical School (Cambridge, MA, 2002).

Intervention at the 3rd International Negotiating Body Meeting of the Framework Convention on Tobacco Control (Geneva, Switzerland 2001).

Conference on Tobacco-related Legal Issues in the European Union (Luxembourg, 2001).

Expert Panel on Liability and Compensation Provisions in the Framework Convention on Tobacco Control (Geneva, 2001).

Consultation On Tobacco Litigation and Public Inquiries (Jordan, 2001).

Consultant on Tobacco Industry archives project at the University of California San Francisco (2000).

World Conference on Tobacco Or Health (Chicago, 2000).

Debate with BAT Representative, West Indies Journalists Association (Trinidad, 2000).

Control of Tobacco in Brazil, Brazilian Medical Association (Rio de Janeiro, Brazil) (1999).

Panamerican Health Organization on Tobacco Litigation (Valparaiso, Chile).

Colloquium -- on Lawyer Collaboration with Systems of Evil -- at Roger Williams Law School (Rhode Island).

University of Connecticut School of Medicine Moses Greeley Parker Lectures (Lowell, Massachusetts).

Annual Conference of the National Consortium for Academics and Sports (Orlando, Florida).

Fourth Annual National Conference on Tobacco & Health (St. Paul, Minnesota).

Turkish Conference on Smoking or Health (Istanbul).

European Conference on Tobacco or Health (Gran Canaria, Spain).

London School of Economics, the Colloquium on Public Health Law (Durban, South Africa).

Harvard Law School Conference on the Tobacco Settlement: Should Tort Law Be on the Table? (Cambridge, Mass. 1997).

National Dental Tobacco-Free Steering Committee (Bethesda, 1996).

Lectured to faculty seminar at Johns Hopkins University Department of Epidemiology (1995).

St. Louis ASSIST Coalition (1994), and at conferences in Connecticut, Rhode Island and Massachusetts sponsored by the Environmental Protection Agency (1994).

10th World Conference on Tobacco and Health (Beijing 1997).

European Conference on Tobacco and Health (Helsinki 1996).

9th World Conference on Tobacco and Health (Paris, 1994).

President's Cancer Panel (Virginia, October 5, 1994).

Mass. Tobacco & Youth Conference (Boston, 1994).

American Trial Lawyers Ass'n (Tucson, 1994).

American Society of Addiction Medicine (Atlanta, 1993).

Conference on "Tobacco Use: An American Crisis" (Washington, 1993) National Workers' Compensation and Occupational Medicine Seminar (Hyannis, 1993).

leader, Workshop on Legal Issues in Tobacco Control, "Tobacco Use: An American Crisis," Wash., D.C. (January 1993).

International Conference on Cancer Prevention (Bethesda, 1991).

Faculty, Fifth Summer Conference, Stanford Center for Research in Disease Prevention (July,

1990).

World Conference on Lung Health (Boston, 1990).

Workshops on Passive Smoking and Nonsmokers' Rights, 7th World Conference on Tobacco and Health (Perth, 1990).

International Symposium on the Control of Tobacco-Related Cancer and Other Diseases (Bombay, 1990).

15th International Cancer Congress (Hamburg, 1990).

Commentator, Association for Consumer Research (New Orleans, 1989), on effects of cigarette advertising on smoking behavior.

American Society for Preventive Oncology (Washington, 1989).

Chaired 21 annual international conferences of the Tobacco Products Liability Project (plaintiffs' attorneys and public health advocates), two annual international conferences on Legal Approaches to the Obesity Epidemic, three ATLA section meetings, and several press conferences invited speaker, American Public Health Association, 1986, 1988, 1989, 1990, 1992 1996 1997 2000.

Keynote Address, 7th World Conference on Tobacco and Health (Perth, 1990).

Keynote address at Asian-Pacific Conference on Control of Cigarette Smoking (Teipei, 1989).

6th World Conference on Smoking and Health (Tokyo, 1987).

Mellon lecture at University Of Pittsburgh Law School (1987).

Lectured on tobacco products liability to doctors at several local hospitals and at the Royal Society of Medicine, London, to attorneys in bar committee and continuing legal education meetings, to public health students at Harvard and Boston University, to meetings of local lung, public health, and civic associations, and to annual conferences of Stop Teenage Addiction to Tobacco (1986-).

Lecturer to business executives on legal implications of smoking in the workplace at conferences sponsored by the New Hampshire, Massachusetts, Connecticut and Indiana Lung Associations (1986-).

Delivered Ford Hall Forum lecture with Surgeon General Koop (October 10, 1985).

PUBLICATIONS

["We need punitive damage awards to protect public health."](#) *The Hill* (December 6, 2022).

["Massachusetts Makes a Losing Bet on Gambling."](#) *The Boston Globe* (August 15, 2022).

["FDA Finally Moves to Ban Menthol Cigarettes."](#) *The Boston Globe* (April 29, 2021).

Gottlieb, M., Daynard, R., Friedman, L., *Casinos: An Addiction Industry in the Mold of Tobacco and Opioid Drugs*, 2021 U. Ill. L. Rev. 1711.

<https://www.illinoislawreview.org/wp-content/uploads/2021/10/Gottlieb-Daynard.pdf>

Daynard, R. Public health consequences of e-cigarettes: a consensus study report of the National Academies of Sciences, Engineering, and Medicine. *J Public Health Pol* **39**, 379–381 (2018). <https://doi.org/10.1057/s41271-018-0132-1>

Laura Nixon, Pamela Media, Andrew Cheyne, Cara Wilking, Mark Gottlieb, Richard Daynard, *"We're Part of the Solution": Evolution of the Food and Beverage Industry's Framing of Obesity Concerns Between 2002 and 2012*, AMERICAN JOURNAL OF PUBLIC HEALTH (September 2015).

Richard A. Daynard, *Commentary: Enough is Enough*, JOURNAL OF PUBLIC HEALTH POLICY (February 2015).

Contributing author, *The Health Consequences of Smoking – 50 years of progress: a report of the Surgeon General*. U.S. CENTERS FOR DISEASE CONTROL AND PREVENTION (January, 2014)

Richard Daynard, "Stubbing out cigarettes for good", *New York Times* (op ed) March 3, 2013 <https://www.nytimes.com/2013/03/04/opinion/two-paths-to-the-gradual-abolition-of-smoking.html>

["Commentary: Enough is Enough,"](#) 36(2) *Journal of Public Health Policy* 150 (2015).

["Tobacco Industry Use of Personal Responsibility in Public Relations and Litigation: Disguising Freedom to Blame as Freedom of Choice,"](#) 105 *American Journal of Public Health* 250 (2015) (co-author).

["Attitudes towards Electronic Cigarettes Regulation in Indoor Workplaces and Selected Public and Private Places: A Population-Based Cross-Sectional Study,"](#) *PLOS ONE* (2014) (co-author).

["Regulatory Approaches to Ending Cigarette-Caused Death and Disease in the United States,"](#) 19 *American Journal of Law and Medicine* 290 (2013).

[“Beyond Cheeseburgers: The Impact of Commonsense Consumption Acts on Future Obesity-Related Lawsuits.”](#) 68 *Food and Drug Law Journal* 229 (2013) (co-author).

[“Roles of Tobacco Litigation in Societal Change,”](#) in *Tobacco: Science, Policy and Public Health, 2nd Edition*, ed. P. Boyle et al. (Oxford University Press, 2010).

[“How Smoking Became History: Looking Back to 2012,”](#) 21 *Tobacco Control* 289 (2012).

Richard A. Daynard, How “Implied Express Preemption” Happened, What it Means to Trial Lawyers, and Why it Matters, N.Y.U. Annual Survey of American Law 101 – 109 (2010)

Rangita De Silva de Alwis and Richard A. Daynard, Reconceptualizing Human Rights to Challenge Tobacco, 17:2 *Michigan State University Journal of International Law* 292-375 (2008-2009).

Richard A. Daynard (among 17 participants), IARC Handbook 13: Evaluating the Effectiveness of Smoke-free Policies (2009).

Richard Daynard, chapter on Litigation, in Gray, N. and Peto, R., *Tobacco: Science, Policy, and Public Health* (2d ed., Oxford University Press, 2010)

Richard A. Daynard, *Doing the Unthinkable (and Saving Millions of Lives)*, 18 *TOBACCO CONTROL* 2-3 (January 2009).

Sebastián Albuja and Richard A. Daynard, *The Framework Convention on Tobacco Control (FCTC) and the Adoption of Domestic Tobacco Control Policies: The Ecuadorian Experience*, 18 *TOBACCO CONTROL* 18-21 (January 2009).

Richard A. Daynard (among 17 co-authors), *Effectiveness of smoke-free policies*, 9:7 *THE LANCET ONCOLOGY* 614-615 (July 2008).

Christopher Banthin and Richard A. Daynard, *Symposium: Room for two in tobacco control: limits on the preemptive scope of the proposed legislation granting FDA oversight of tobacco*, 11 *JOURNAL OF HEALTH CARE LAW AND POLICY* 57 (2008).

L Friedman and Richard A. Daynard, *Scottish Court Dismisses a Historic Smoker’s Suit*, 16:4 *TOBACCO CONTROL* (Oct 2007).

Sara D. Guardino and Richard A. Daynard, Tobacco Industry Lawyers as “Disease Vectors”, 16 *TOBACCO CONTROL* 224 – 228 (August 2007).

Richard A. Daynard, et al., *Tobacco use-related diseases*, in *Law and Public Health Practice* 2nd Ed. (Oxford University Press, 2006).

Sara D. Guardino and Richard A. Daynard, Punishing Tobacco Industry Misconduct:

The Case for Exceeding a Single Digit Ratio Between Punitive and Compensatory Damages, 67:1 U. Pitt. L. Rev. 1 (2006).

Jess Alderman and Richard A. Daynard, Applying Lessons from Tobacco Litigation to Obesity Lawsuits, 30:1 Am J Prev Med. 82 (2006).

Richard A. Daynard, Public Health vs. Philip Morris: Is it a Zero-Sum Game?, 26:4 Journal of Public Health Policy 469 (2005).

Lissy C. Friedman, Richard A. Daynard and Christopher N. Banthin, How Tobacco-Friendly Science Escapes Scrutiny in the Courtroom, 95:S1 American Journal of Public Health (2005).

Richard A. Daynard, The Cigarette Industry, in *It's Legal but It Ain't Right: Harmful Social Consequences of Legal Industries* 28-42 (N. Passas and N. Goodwin, eds. 2004).

Sara D. Guardino, Lissy C. Friedman and Richard A. Daynard, Remedies for Document Destruction: Tales from the Tobacco Wars, 12 Va. J. Soc. Pol'y & L. 1 (2004).

Richard A. Daynard, P. Tim Howard and Cara L. Wilking, Private Enforcement: Litigation as a Tool to Prevent Obesity, 25:3&4 Journal of Public Health Policy 65 (2004).

Richard A. Daynard, Roles of Tobacco Litigation in Societal Change, in *Tobacco and Public Health: Science and Policy* (August 2004).

Richard A. Daynard, Obesity Litigation: Who's to Blame, 18:1 Health Law News 5 (May 2004).

Richard A. Daynard, Lessons from Tobacco Control for the Obesity Control Movement, 24:3&4 Journal of Public Health Policy 291 (2003).

Richard A. Daynard, Legal Approaches to the Obesity Epidemic, 13:5 Consumer Policy Review 154 (September/October 2003).

Ben Kelley and Richard Daynard, Stop Blaming the Customer, USA Today (May 13, 2003).

Richard Daynard, You Want Fries With That?: Why the Food Industry Deserves to Face Litigation, Northeastern University Magazine 10 (May 2003).

Anthony Robbins, Wendy E. Parmet and Richard Daynard, Race, Poverty, and New Strategies to Control the Obesity Epidemic, *Poverty & Race* (May/June 2003).

R. Daynard, Why Tobacco Litigation?, 12:1 Tobacco Control 1-2 (March 1, 2003).

Richard A. Daynard, Lauren E. Hash and Anthony Robbins, Food Litigation: Lessons From the Tobacco Wars, 288:17 *Journal of the American Medical Association* 2179 (November 6, 2002).

Richard A. Daynard, Comments from Conference on Law and Public Health: A Partnership in Action, 23:2 *Journal of Public Health Policy* 208 (Summer 2002).

Richard A. Daynard, *Regulating Tobacco: The Need for a Public Health Judicial Decision-Making Canon*, 30 *Journal of Law, Medicine & Ethics* 281 (2002).

Richard A. Daynard, et al., *Tobacco use-related diseases*, in *Law and Public Health Practice* (2002).

Richard A. Daynard, *Will Big Tobacco Seek Bankruptcy Protection? A \$145 Billion Verdict Poses the Question*, 26:2 *Wm. & Mary Envtl. L. & Pol'y Rev.* 359 (Winter 2001).

Richard A. Daynard, "Hired Guns", *Adversaries, or White-Collar Killers: Comment on Professor Green's and Redish's Views of Tobacco Lawyers*, 51 *DePaul L. Rev.* 449 (Winter 2001).

Richard A. Daynard, et al., *Implications for Tobacco Control of the Multistate Tobacco Settlement*, 91:12 *American Journal of Public Health* 1967 (December 2001).

Richard A. Daynard, *Book Review: David Kessler, A Question of Intent*, 37:6 *Trial* 76 (June 2001).

Richard A. Daynard and Mark Gottlieb, *Tobacco Class Actions Fire Up*, 37:12 *Trial* 18 (November 2001).

Richard A. Daynard, *Tobacco Litigation: a Mid-Course Review*, 12 *Cancer Causes and Control* 383 (2001).

"Reducing Tobacco Use: A Report of the Surgeon General," (contributing author) (2000)

Richard A. Daynard, *The Engle Verdicts and Tobacco Litigation*, 321 *British Medical Journal* 312 (August 5, 2000).

Richard A. Daynard and Mark Gottlieb, *Casting Blame on the Tobacco Victim: Impact on Assumption of the Risk and Related Defenses in U.S. Tobacco Litigation*, 1 *Tobakkindustriens Erstatningsansvar* 374 (November 2000).

Richard A. Daynard, *Litigation: USA*, 9 *Tobacco Control* 6 (2000).

Richard A. Daynard, Clive Bates and Neil Francey, *Tobacco Litigation Worldwide*, 320 *British Medical Journal* 111 (January 2000).

W. E. Parmet and R. A. Daynard, *The New Public Health Litigation*, 12:8 Annual Review of Public Health 437 (January 2000).

Richard A. Daynard, *Book Review: Stanton A. Glantz, John Slade, Lisa A. Bero, Peter Hanauer, and Deborah E. Barnes. The Cigarette Papers*, 24:6 Journal of Health Politics, Policy and Law 1400 (December 1999).

Richard A. Daynard, *Should Tobacco Companies Reimburse the Federal Government for Health-Care Costs Related to Smoking? - A Response*, 9 CQ Researcher 993 (November 12, 1999).

Richard A. Daynard, *Q: Is Janet Reno's RICO Lawsuit Against Big Tobacco Legally Justified? - Yes: A Pattern of Deception is the Smoking Gun Evidence Against Cigarette Makers*, Insight 40 (November 8, 1999).

Richard A. Daynard, *Lawyer Management of Systems of Evil: The Case of the Tobacco Industry*, 5 Roger Williams University Law Review 117 (Fall 1999).

Richard A. Daynard and Mark Gottlieb, *Keys to Litigating Against Tobacco Companies*, 35:12 Trial 18 (November 1999).

Richard A. Daynard, *Controle do Tabagismo No Brasil*, I Simposio Internacional Sobre Tabagismo (August 1999).

Edward L. Sweda, Jr. and Richard A. Daynard, *Tobacco Industry Tactics*, in *Smoking: Who Has the Right?* 173-180 (J. Schaler & M. Schaler, eds. November 1998).

Graham E. Kelder, Jr. and Richard A. Daynard, *Judicial Approaches to Tobacco Control: The Third Wave of Tobacco Litigation as a Tobacco Control Mechanism*, in *Smoking: Who Has the Right?* 201-220 (J. Schaler & M. Schaler, eds. November 1998).

Michele Bloch, Richard Daynard and Ruth Roemer, *A Year of Living Dangerously: The Tobacco Control Community Meets the Global Settlement*, 113 Public Health Reports 488 (November/December 1998).

Richard A. Daynard and Graham E. Kelder, Jr., *The Many Virtues of Tobacco Litigation*, 34:12 Trial 34 (November 1998).

Richard A. Daynard and John Rumpler, *Changes to the Civil Justice System Under the Proposed Tobacco Settlement*, Working Paper #4 in a Series on Legal Issues in the Proposed Tobacco Settlement (August 1997).

Wendy E. Parmet, Mark A. Gottlieb and Richard A. Daynard, *Accommodating Vulnerabilities to Environmental Tobacco Smoke: A Prism for Understanding the ADA*, 12:1 Journal of Law and Health 1 (1998).

Dr. Richard Daynard, Dr. Leonard Buckle and Dr. Susanne Thomas-Buckle, *Litigation by States Against the Tobacco Industry*, 10th World Conference on Tobacco or Health - Special Commentary, Beijing, China (August 1997).

Graham E. Kelder, Jr. and Richard A. Daynard, *Judicial Approaches to Tobacco Control: The Third Wave of Tobacco Litigation as a Tobacco Control Mechanism*, 53:1 *Journal of Social Issues* 169 (1997).

Graham E. Kelder, Jr. and Richard A. Daynard, *The Role of Litigation on the Effective Control of the Sale and Use of Tobacco: Litigation as Substitute for and Supplement to Conventional Means of Regulation Thwarted by the Tobacco Industry*, 8:1 *Stanford Law & Policy Review* 63 (1997).

Mark Gottlieb and Richard A. Daynard, *Blowing Smoke Out of the Workplace*, 32:8 *Trial* 24 (1996).

Wendy E. Parmet, Richard A. Daynard and Mark A. Gottlieb, *The Physician's Role in Helping Smoke-Sensitive Patients to Use the Americans With Disabilities Act to Secure Smoke-Free Workplaces and Public Spaces*, 276:11 *The Journal of the American Medical Association* 909 (September 11, 1996).

Graham E. Kelder, Jr. and Richard A. Daynard, *Tobacco Litigation as a Public Health and Cancer Control Strategy*, 51:1-2 *Journal of the American Medical Women's Association* (March 1996).

Richard A. Daynard and Graham E. Kelder, Jr., *Waiting to Exhale: Tobacco Companies Hold Their Breath Over a New Legal Challenge That Could Have a Crushing Effect*, *The Boston Sunday Globe* (February 11, 1996).

Edward L. Sweda, Jr. and Richard A. Daynard, *Tobacco Industry Tactics*, 52:1 *British Medical Bulletin* 183 (January, 1996).

Richard A. Daynard and Graham E. Kelder, Jr., *The Tobacco Industry Under Fire*, 31:11 *Trial* 20 (November 1995).

"The Third Wave of Tobacco Litigation in the U.S. and Beyond," *World Health Organization Tobacco Alert* (April 1995) (with Kelder and Gottlieb)

Richard A. Daynard, *Resisting tobacco industry abuse of the legal process*, 4 *Tobacco Control* 209 (1995).

Richard A. Daynard, *The Third Wave of Tobacco Liability Cases*, 30:11 *Trial* 34 (November 1994).

Richard A. Daynard, *Catastrophe Theory and Tobacco Litigation*, 3 *Tobacco Control* 59

(1994).

Mark A. Gottlieb, Richard A. Daynard, and Jennifer B. Lew, *Second-hand Smoke and the ADA: Ensuring Access for Persons with Breathing and Heart Disorders*, 13:2 St. Louis Univ. Public Law Rev. 635 (1994).

Jason Friedman and Richard A. Daynard. *Tobacco Products Liability Suits in Massachusetts - a Neglected Opportunity*, 1:3 J. Mass. Aca. Trial Attys 50 (January 1994).

Richard A. Daynard, *Filter Tips: More Ways to Smoke the Tobacco Companies Litigation*, 25:1-2 Washington Monthly 18 (January 1993).

Richard A. Daynard, *Judicial Action for Tobacco Control*, in *Legislative Action To Combat The World Tobacco Epidemic*, 2nd Ed. (1993).

Richard A. Daynard, *Smoking Out the Enemy: New Developments In Tobacco Litigation*, 29:11 Trial 16 (November 1993).

Richard A. Daynard, *Chipping Away at the Legal Immunity of Tobacco Companies*, *Priorities* 11 (Summer 1993).

Richard A. Daynard, *Workshop on Legal Issues in Tobacco Control*, (December 1992).

Richard A. Daynard, *Should You Sue a Cigarette Company for Cancer?*, 12:15 *Lawyers Alert* 12 (July 20, 1992).

Richard A. Daynard, *Cipollone v. Liggett: Resounding Victory!*, *Tobacco on Trial* (June 26, 1992).

Richard A. Daynard, *Tobacco Policy*, 12:1 *Health* 46 (1992).

Richard A. Daynard, *et al*, *Tobacco Use as a Sociologic Carcinogen: The case for a Public Health Approach*, in *Cancer* (V. DeVita, ed. 1992).

Richard A. Daynard, *et al*, *Report of the Tobacco Policy Research Study Group on Tobacco Litigation*, 1 *Tobacco Control* 537 (Supp. 1992).

Andrew McGuire and Richard A. Daynard, *When Cigarettes Start Fires: Industry Liability*, 28:11 *Trial* 44 (November 1992).

Richard A. Daynard, *Tobacco in Court*, (edited special issue and wrote two articles) 17:2 *World Smoking and Health* (1992).

Richard A. Daynard, *Cipollone Ruling Sends Industry a Message: Say Goodbye to Federal License to Lie*, 20 *Prod. Safety & Liab. Rptr.* 712 (1992).

Richard A. Daynard, *Controlling Cancer by Suing Tobacco Companies: The Potential for India in the Light of the U.S. Experience*, in *Control of Tobacco-related Cancers and Other Diseases*, International Symposium (P.C. Gupta, J.E. Hamner, III, and P.R. Murti, eds. 1992).

Richard A. Daynard, *Judicial Action for Tobacco Control*, in *Legislative Action to Combat the World Smoking Epidemic* 137-148 (R. Roemer, ed. 1992).

Richard A. Daynard and Edward L. Sweda, Jr., *Redress for Injury Caused by Environmental Tobacco Smoke*, 28:3 *Trial* 5 (March 1992).

Richard A. Daynard, *Tobacco Litigation - Purpose, Performance, and Prospects*, 12 *National Cancer Institute Monograph: International Conference on Cancer Prevention: Facts, Maybes, and Rumors* 53 (1992).

Richard A. Daynard, *Recent Developments in Tobacco Litigation: 1991*, 1 *Tobacco Control* 37 (1992).

Stanton A. Glantz and Richard A. Daynard, *Health Hazards of Secondhand Smoke*, 27:6 *Trial* 37 (June 1991).

Richard A. Daynard and Laurie Morin, *Product Warnings - Tobacco*, in *Handling Product Warning Cases* (Wiley, 1991).

Richard A. Daynard, *What is ASHRAE, and Why Should We Care?*, presented at a workshop on Nonsmoker's Rights at 7th World Conference on Tobacco and Health (revised September 10, 1990).

Richard A. Daynard, *Worldwide Litigation*, in *Tobacco & Health 1990: The Global War* 189-191 (1990).

Richard A. Daynard, *Proving Causation in Lawsuits Involving Environmental Tobacco Smoke*, in *Proceedings of Pre-conference Workshop on Passive Smoking* 84-89 (1990).

Richard A. Daynard, *Up from the Ashes: Cigarette Litigation and the Dewey Decision*, 5 *Toxics Law Reporter* 630 (1990).

Richard A. Daynard and Laurie Morin, *The Cipollone Documents*, 24:11 *TRIAL* 50 (Nov. 1988).

Richard A. Daynard, *Tobacco Liability Litigation as a Cancer Control Strategy*, 80:1 *J. Nat. Cancer Inst.* 580 (1988).

Richard A. Daynard, *Tobacco Products Liability Litigation as an Antismoking Strategy*, in *Smoking and Health* 409-413 (M. Aoki et al eds. 1987).

Richard A. Daynard, *Test Case Litigation as a Source of Significant Social Change*, 18:1 *The*

Catholic Lawyer 37 (Winter 1972).

Richard A. Daynard, *The Use of Social Policy in Judicial Decision-Making*, 56 Cornell L. Rev. 919 (1971).

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