

## *2003 Press Releases*

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**JON BRUNING**  
ATTORNEY GENERAL

## **Bruning Speaks to Grand Island Residents on the National Day of Prayer, and gives Internet Safety Presentation to Westridge Middle Students**

For Immediate Release:  
April 30, 2003

Contact: Jon Bruning  
(402) 440-9530

GRAND ISLAND – Tomorrow, Attorney General Jon Bruning will speak to Grand Island residents about the importance of prayer. His speech will address the timeliness of the Day of Prayer in our country and his use of prayer as a public official.

“Tomorrow is an incredible day of unity and a day to remind us of our common ground and not our differences. National Day of Prayer is not a threat on religious freedom, but it is an honor to our religious diversity” Bruning said.

Bruning will also present Westridge Middle School students with a program on Internet safety. The program outlines ways that predators track young victims as well as information on how to protect against online predators.

“It’s important to be aware of what you’re disclosing when you’re online. What may seem to be an insignificant piece of information can be used to find out a lot about a person,” said Bruning.

Bruning will caution young people against giving out personal information such as names, addresses, or phone numbers online. “Unfortunately, there are a lot of dangerous criminals out there that use the Internet as a tool to find their next victim,” said Bruning. “You may think you’re talking to a peer when in reality he or she may be a middle-aged, convicted sex offender.”

The Internet safety presentation will take place at 10:45 in the Westridge Middle School gymnasium. The National Day of Prayer speech will be held at 12:00 at City Hall.

For more information on how to protect yourself against Internet predators visit the Attorney General’s website at [www.ago.state.ne.us](http://www.ago.state.ne.us).



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**JON BRUNING**  
ATTORNEY GENERAL

## States Reach Final Agreement with Bristol Myers-Squibb

For Immediate Release:  
April 24, 2003

Contact:           Holley Bolen  
                          (402) 471-3888

LINCOLN—Attorney General Bruning has announced a final resolution with Bristol Myers-Squibb Company that would settle the antitrust lawsuit involving the cancer-fighting drug, Taxol.

The State of Nebraska, taken in conjunction with the other 49 states and U.S. territories, will recover \$55 million to settle the states' claims for damages, penalties and individual consumer redress. Bristol Myers-Squibb has also agreed to strong injunctive relief for ten years to prevent Bristol from engaging in anti-competitive conduct in the future, and has agreed to provide free quantities of Taxol to DEA-approved health care facilities, provided the recipients meet certain eligibility requirements.

A major component of the complaint was the allegation that the manufacturer unlawfully blocked the entry of less expensive generic drugs into the marketplace.

“This is a significant victory for the State of Nebraska,” said Attorney General Bruning. “This settlement will help to compensate consumers, as well as the State of Nebraska, who overpaid for this drug.”

The settlement was filed today with U.S. Federal District Court Judge Emmet G. Sullivan in the District of Columbia and requires approval from the court to become effective. If approved, the Attorney General will implement a claims administration process for consumers who purchased Taxol or its generic equivalent between January 1, 1999 and February 28, 2003. The Attorneys General have set aside approximately \$12 million for a nationwide consumer distribution to compensate consumers who may have paid higher prices for Taxol.

Under the settlement, the State of Nebraska will also receive substantial monies for damages incurred by certain governmental entities that purchased the Taxol or its generic equivalent. While the ultimate allocation among the litigating states has not yet been determined, more than \$37 million will be set aside to be divided for this purpose.



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**JON BRUNING**  
ATTORNEY GENERAL

## **Attorney General Bruning Visits Kearney To Discuss Crime and Corrections**

For Immediate Release:  
April 23, 2003

Contact: Jon Bruning  
(402) 440-9530

KEARNEY - Today, Attorney General Jon Bruning spoke to the Nebraska Correctional Association, the Nebraska Jail Standards Division, and the University of Nebraska-Kearney Criminal Justice Department about problems currently facing Nebraska, and challenges in the area of corrections.

“We have to start looking ahead to address crime in Nebraska. Right now, when we build a prison, it’s virtually overcrowded the day it opens. Given our current budget situation, we have to look at real solutions that not only take violent offenders off our streets, but work to prevent crimes from occurring in the first place,” Bruning said.

Bruning also presented Horizon Middle School 7<sup>th</sup> and 8<sup>th</sup> graders with a program on Internet safety. The program outlined ways that predators track young victims as well as information on how to protect against online predators.

“It’s important to be aware of what you’re disclosing when you’re online. What may seem to be an insignificant piece of information can be used to find out a lot about a person,” said Bruning.

Bruning cautioned young people against giving out personal information such as names, addresses, or phone numbers online. “Unfortunately, there are a lot of dangerous criminals out there that use the Internet as a tool to find their next victim,” said Bruning. “You may think you’re talking to a peer when in reality he or she may be a middle-aged, convicted sex offender.”

For more information on how to protect yourself against Internet predators visit the Attorney General’s website at [www.ago.state.ne.us](http://www.ago.state.ne.us).



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**JON BRUNING**  
ATTORNEY GENERAL

Attorney General Jon Bruning  
Guest Column: April 18, 2003  
Contact: Holley Bolen (402) 471-3888

Is there too much arsenic in your drinking water? The EPA thinks so, despite what many Nebraskans believe is little or no scientific evidence. Last Wednesday I was in Washington, D.C. to argue the point in front of the D. C. Circuit Court of Appeals. At issue is the EPA's new arsenic rule, set to go into effect in 2006, that would lower allowable arsenic levels in drinking water from the current 50 parts per billion to 10 parts per billion. The new unfunded federal mandate would cost Nebraskans roughly \$110 million. Even more troubling is the fact that these costs disproportionately affect Nebraska's rural communities, since the vast majority of affected water systems serve Nebraska's smallest communities. To be more specific, the mandate will cost some Nebraskans as much as \$1,700 per household, per year to adhere to the new standard.

The costs are too great for Nebraskans to sit idly by while the federal government imposes an unnecessary and unfunded mandate. Nebraskans have had naturally occurring arsenic in our drinking water for generations and there is no evidence that we've experienced health problems as a result.

A lawsuit against the federal government is never an easy decision. While some people may not think \$110 million dollars out of rural Nebraska's pocket is worth fighting about, I believe I have a duty to fight for Nebraskans even when I know the road will be difficult or the odds are long. If the EPA has its way, there will be Nebraskans who must forego food and health care to pay \$1,700 annually to clean up water that is already clean. In some cases when these federal mandates arrive, we as Nebraskans need to say enough is enough. In some cases we need to draw the line in the sand. I believe this is one of those cases.



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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
April 15, 2003

Contact: Holley Bolen  
(402) 471-3888

**PHILIP MORRIS TO MAKE \$2.6 BILLION PAYMENT  
TO STATES AS SCHEDULED**

LINCOLN, NE --Yesterday an Illinois trial judge lowered the appeal bond requiring Philip Morris to pay \$6 billion instead of \$12.1 billion in a class action smokers' case. Given the reduction, Philip Morris has stated that it will be able to make the \$2.6 billion payment to 46 states as part of the Master Settlement Agreement. Under the settlement in 1998, Philip Morris, Reynolds, Brown & Williamson, and Lorillard and other participating manufacturers are required to make annual payments to the states.

Nebraska will receive \$30 million of the total payment which is scheduled to be made today. Of the \$30 million payment, \$15 million comes directly from Philip Morris.

Nebraska Attorney General Jon Bruning said "We were prepared to file suit tomorrow if Philip Morris didn't make its scheduled payment. This is good news for Nebraska and all 46 states that took part in the settlement."



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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
April 14, 2003

Contact: Holley Bolen  
(402) 471-3888

**ATTORNEY GENERAL JON BRUNING  
TO ARGUE ARSENIC CASE IN U. S. COURT OF APPEALS**

WASHINGTON, D.C.—Attorney General Jon Bruning traveled to Washington, D.C. today to prepare for arguments in the arsenic case before the U.S. Court of Appeals for the District of Columbia Circuit. The State of Nebraska's lawsuit against the Environmental Protection Agency's arsenic rule contends that the new standard is unconstitutional. The current standard allows arsenic levels in drinking water of 50 parts per billion. The new standard would allow no more than 10 parts per billion of arsenic in tap water.

It is estimated that the new mandate would cost Nebraska communities between \$65 million and \$110 million. The standard goes into effect in 2006.

"Nebraskans have had naturally occurring arsenic in our drinking water for generations and there is no evidence that we've experienced health problems as a result," said Bruning.

The new standard, if upheld, will place an enormous financial burden on Nebraska's communities. "From a practical standpoint the rule will have disastrous effects on our small communities, costing some of Nebraska's poorer communities as much \$1,700 per household, per year," said Bruning.

Bruning will argue the constitutionality of the EPA's rule as it relates to interstate commerce. Arguments are set for Tuesday, April 15<sup>th</sup> at 9 a.m. EST.



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**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
April 10, 2003

Contact: Holley Bolen  
(402) 471-3888

**ATTORNEY GENERAL BRUNING AND NEBRASKA CORN BOARD TO  
UPDATE FARMERS ON STARLINK SETTLEMENT**

LINCOLN—Tomorrow Attorney General Jon Bruning will hold a joint press conference with the Nebraska Corn Board to discuss the proposed \$110,000,000 StarLink settlement. Bruning and Bernie Heier, Chairman of the Board, will outline the qualifications for participating in the Non-StarLink Farmer Litigation settlement.

“It’s important that Nebraska farmers understand the consequences of filing claims, as well as the consequences of not getting involved in the settlement,” said Bruning. “That’s why the Attorney General’s office is working with the Corn Board to help Nebraska’s corn producers understand the process.”

“We’re committed to helping Nebraska farmers and are doing all we can to increase education about the StarLink settlement and address the needs of farmers statewide,” said Bernie Heier.

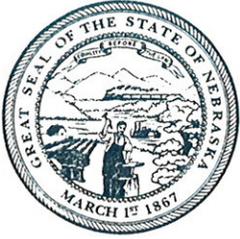
The settlement will provide money to farmers who did not plant StarLink corn. StarLink corn contained a protein to protect against insects and was sold for feed use. Some of the corn was used for other purposes which led to fears over safety, resulting in lower exports of U.S. corn and subsequent lower prices. Under a prior agreement with several state Attorneys General, including Nebraska’s, Aventis and/or StarLink Logistics has already paid over \$130 million dollars to farmers who grew StarLink corn, were adjacent to StarLink corn fields, or had StarLink corn commingled in their bins.

There are two types of losses eligible for payment under the current settlement. They are the Corn Loss program and the Property Damage program. Under the Corn Loss program, those farmers who planted corn suffered a loss from lower prices for their Non-StarLink corn. These farmers must file a proof of claim which includes corn acreage verification from USDA-FSA or crop insurers. Under the Property Damage program, farmers who had StarLink corn commingled with their other corn may file a Property Damage loss claim, to cover additional losses beyond those already paid by Aventis and/or StarLink Logistics.

The deadline to file most claims is May 31, 2003. By accepting money from the settlement, a farmer gives up any chance to sue Aventis and related companies for losses associated with StarLink. The settlement makes any farmer who planted corn from 1998 to 2002 eligible for a payment from the settlement.

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The press conference will be held in the state capitol in room 2115 at 11:00 a.m.



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**JON BRUNING**  
ATTORNEY GENERAL

## **Bruning Talks to Scottsbluff Teens about Online Safety and Internet Predators**

For Immediate Release:  
April 8, 2003

Contact: Jon Bruning  
(402) 440-9530

SCOTTSBLUFF - Today, Attorney General Jon Bruning presented Bluffs Middle School 7<sup>th</sup> and 8<sup>th</sup> graders with a program on Internet safety. The program outlined ways that predators track young victims as well as information on how to protect against online predators.

“It’s important to be aware of what you’re disclosing when you’re online. What may seem to be an insignificant piece of information can be used to find out a lot about a person,” said Bruning.

Bruning cautioned young people against giving out personal information such as names, addresses, or phone numbers online. “Unfortunately, there are a lot of dangerous criminals out there that use the Internet as a tool to find their next victim,” said Bruning. “You may think you’re talking to a peer when in reality he or she may be a middle-aged, convicted sex offender.”

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**JON BRUNING**  
ATTORNEY GENERAL

Attorney General Jon Bruning  
Guest Column: April 4, 2003  
Contact: Holley Bolen (402) 471-3888

As Nebraska's Attorney General, I've made it a top priority to protect Nebraska consumers from identity theft. In 2002, there were 1,076 fraud complaints in the State of Nebraska. Of those, 454 were identity theft complaints. Most people reporting identity theft had no idea how their personal information was stolen. Typically, an identity thief will steal a person's Social Security number or other personal information to obtain credit in their name.

Despite an individual's best efforts to manage the flow of his or her personal information, skilled identity thieves may use a variety of methods to gain access to personal data. The thief assumes a person's identity by using personal information as if it were his or her own. They use it to open credit card accounts, rob bank accounts and retirement savings, obtain employment opportunities or make deposits on cars or housing. Of the 454 victims of identity theft in the State of Nebraska, nearly half resided in areas outside the cities of Omaha and Lincoln.

-MORE-

To help protect you from becoming a victim of identity theft, take the following steps:

- Don't carry your Social Security card, birth certificate or passport in your wallet or purse except when needed.
- Never have your Social Security number or your driver's license number printed on your bank checks.
- Order your credit report once a year from each of the three credit bureaus. Review the information for any unusual transactions.
- Use a paper shredder to carefully dispose of all materials that contain your Social Security number, bank account or credit card numbers.
- Never give personal information over the telephone to an unknown caller.
- Use a secure browser, regularly update your virus protection software, and do not download files to your computer that were sent to you by strangers.

In an effort to address identity theft issues, in 2002 the Nebraska Unicameral passed the Personal Identity Defense Act. The Act defines identity fraud, provides criminal penalties and orders restitution for the costs incurred or losses suffered by the victim.

If you feel you have been a victim of identity theft or if you have any other type of consumer complaint, please contact the Consumer Protection Division of the Attorney General's Office toll free at 1-800-727-4384. Ask to receive a complaint form that you can fill out and return to our office, or fill out a complaint form online at [www.ago.state.ne.us](http://www.ago.state.ne.us). Please contact our office if you have any comments or questions. Knowledge is power. Let us provide you with the tools to that can help protect you from consumer fraud.