

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 01-7173

September Term, 2002

North American Trading Company et al., Filed On: November 25, 2002^[715961]
Appellants

v.

National Association of Attorneys General et al.,
Appellees

Appeal from the United States District Court for the District of Columbia
(No. 01cv1600)

BEFORE: GINSBURG, *Chief Judge*, and EDWARDS and GARLAND, *Circuit Judges*.

J U D G M E N T

This appeal was considered on the record from the United States District Court and on the briefs and arguments of the parties. The court has determined that the issues presented occasion no need for a published opinion. It is hereby

ORDERED AND ADJUDGED that the district court's orders filed September 18, 2001 be affirmed to the extent that they dismiss the case for lack of jurisdiction. The appellants have not demonstrated that they have suffered an injury-in-fact sufficient to give them standing to sue. *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560 (1992). The appellants did not show that they have suffered or imminently will suffer any harm traceable to the Maine or Alaska statutes. At oral argument, counsel for the appellants could identify only the Uvezian Declaration as evidence that the appellants suffered injury-in-fact. That declaration is insufficient to support standing, however, because it does not provide any reason to believe that the actions of the defendants caused any distributors who would otherwise have bought cigarettes from ITP to refuse to do so. Although Phillips & King might have had standing, the district court denied the appellants' motion to file an amended complaint adding Phillips & King as a plaintiff, and any appeal of that decision is now moot because Phillips & King has ceased operating.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY:

Dorothy E. Barrack
Deputy Clerk