

REPUBLIC OF THE PHILIPPINES  
REGIONAL TRIAL COURT  
NATIONAL CAPITAL JUDICIAL REGION  
MARIKINA CITY  
BRANCH 263

RECEIVED  
OFFICE OF LEGAL AID

In the Matter of a Petition for Declaratory Relief  
Regarding Certain Provisions of Republic Act No.  
9211 and its Implementing Rules and Regulations

BY: X/n  
DATE: 2/26/08  
TIME: 11:00

Fortune Tobacco Corporation,  
Petitioner,

SCA CASE NO. 2007-688-MK

Inter-Agency Committee - Tobacco, represented by  
the Department Secretaries of the Department of Trade  
and Industry, Department of Health, Department of  
Justice, Department of Education, Department of  
Agriculture, Department of Environment and Natural  
Resources, Department of Science and Technology,  
Department of Finance, Administrator of the National  
Tobacco Administration, President of the Philippine  
Tobacco Institute, and the President of the Framework  
Convention of Tobacco Control Alliance, Philippines  
Respondents.

X-----X  
PHILIP MORRIS PHILIPPINES MANUFACTURING, INC. (PMPMI);  
Intervenor.

X-----X  
JT INTERNATIONAL (PHILIPPINES), INC.;;  
Intervenor.

X-----X  
LA SUERTE CIGAR AND CIGARETTE FACTORY,  
TELENGTAN BROTHERS & SONS, INC. (LA SUERTE); and  
Intervenor.

X-----X  
MIGHTY CORPORATION TOBACCO COMPANY.  
Intervenor.

X-----X

ORDER

Submitted for resolution by this Court is the motion filed by Atty.  
Theodore Te for and on behalf of UP Law Students seeking the  
reconsideration of the order dated October 25, 2007 which denied their  
motion for intervention.

In support of their motion, herein movants contend that far from  
being kibitzers, they have both legal standing as well as legal interest as they  
form part of the youth that is the target market of the advertising.

This Court has thoroughly gone over the subject motion and finds that the issues therein which have been repeatedly raised ad nauseam by the movants have already been pronounced without merit in the assailed order.

At any rate, let it be here emphasized that the petition is one for declaratory relief purposely filed by the petitioner Fortune Tobacco Corporation and joined by other similarly situated cigarette manufacturers and distributors for certain clarifications on the interpretation of the provisions of RA 9211 so that they will not run in conflict with the law, the same imposing penal sanctions for any violations thereof.

Further, it should be noted that the public respondents, which represent the various sectors of the society, including the herein movants, are aptly represented by the Office of the Solicitor General in this proceedings. There is therefore no cause for alarm that a segment of the society especially the youth which the movants represent will be omitted in the determination of the proper interpretation of the law.

WHEREFORE, foregoing premises considered, the motion for reconsideration is hereby denied for lack of merit.

SO ORDERED.

Marikina City, February 7, 2008.

  
ALICE C. GUTIERREZ  
Pairing Judge