

defendant's liability for defective design); *Griesenbeck v. American Tobacco Co.*, 897 F. Supp. 815, 825 (D. N.J. 1995) (dismissing similar suit and noting: "It can hardly be disputed that adults of legal smoking age . . . know that cigarettes must burn in order to be smoked. Nor can an adult claim to be ignorant of the dangers associated with burning items such as cigarettes."); *Sacks v. Phillip Morris, Inc.*, 1998 WL 130157, *2 (4th Cir. 1998) (per curiam) (unpublished) (affirming district court's dismissal of a similar suit arising from a cigarette fire because the obviousness of the dangers of lit cigarettes foreclosed defendant's liability). Accordingly, these motions will be granted by separate Order.

May 26, 2009

Date

/s/

Catherine C. Blake
United States District Judge

