

EXHIBIT B

From: Michalik, John M.
Sent: Friday, March 11, 2022 1:07 PM
To: Max.Grant@lw.com; Greg.Sobolski@lw.com; Jared.Schubert@lw.com;
pmiedva.lwteam@lw.com
Cc: RJREDVA; cmolster@molsterlaw.com
Subject: RE: Case No: 1:20-cv-00393-LO-TCB - Pretrial Filings

Counsel - -

We're on the line. We will remain on the line for another 5 minutes if you want to discuss.

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jmichalik@jonesday.com

From: Max.Grant@lw.com <Max.Grant@lw.com>
Sent: Friday, March 11, 2022 11:41 AM
To: Michalik, John M. <jmichalik@JonesDay.com>; Greg.Sobolski@lw.com; Jared.Schubert@lw.com;
pmiedva.lwteam@lw.com
Cc: RJREDVA <RJREDVA@jonesday.com>; cmolster@molsterlaw.com
Subject: RE: Case No: 1:20-cv-00393-LO-TCB - Pretrial Filings

**** External mail ****

Chip - this doesn't qualify as a meet and confer by a country mile. This stupid posturing has to stop. It's going to be time to pick a jury soon.

For the first time today, you admitted rather than trying to genuinely. Arrow the issues for trial, you're posturing for a motion. Since you have a motion ready, what are you moving for? If you have a proposal, tell us what it is. If you think you're entitled to a reduction in claims without a parallel reduction in invalidity arguments, say so.

Otherwise we're fine taking this nonsense to Judge O'Grady.

M Grant

From: Michalik, John M. <jmichalik@JonesDay.com>
Date: Friday, Mar 11, 2022, 12:06 PM
To: Sobolski, Greg (Bay Area) <Greg.Sobolski@lw.com>, Schubert, Jared (NY) <Jared.Schubert@lw.com>, #C-M PMIEDVA - LW TEAM <pmiedva.lwteam@lw.com>
Cc: RJREDVA <RJREDVA@jonesday.com>, cmolster@molsterlaw.com <cmolster@molsterlaw.com>

Greg - -

We disagree with the premise of your email. We'll open a conference line at 1 ET.

Dial in: 1.872.243.2878
Conference ID: 455 333 786#

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From: Greg.Sobolski@lw.com <Greg.Sobolski@lw.com>
Sent: Friday, March 11, 2022 9:33 AM
To: Michalik, John M. <jmichalik@JonesDay.com>; Jared.Schubert@lw.com; pmiedva.lwteam@lw.com
Cc: RJREDVA <RJREDVA@jonesday.com>; cmolster@molsterlaw.com
Subject: RE: Case No: 1:20-cv-00393-LO-TCB - Pretrial Filings

**** External mail ****

John -

We are not refusing to meet and confer; we are suggesting to do so. You would be making a misrepresentation by telling the Court otherwise. If RJR is ready to file a motion, it must have a proposal about claim reduction and the invalidity case it intends to put on at trial. What is it? Let us know and we can have a meet and confer about mutually preparing this case for trial.

Greg

From: Michalik, John M. <jmichalik@JonesDay.com>
Sent: Thursday, March 10, 2022 7:45 PM
To: Sobolski, Greg (Bay Area) <Greg.Sobolski@lw.com>; Schubert, Jared (NY) <Jared.Schubert@lw.com>; #C-M PMIEDVA - LW TEAM <pmiedva.lwteam@lw.com>
Cc: RJREDVA <RJREDVA@jonesday.com>; cmolster@molsterlaw.com
Subject: RE: Case No: 1:20-cv-00393-LO-TCB - Pretrial Filings

Greg - -

We disagree further delay in resolving this issue is warranted. We are available before noon ET tomorrow to meet and confer. If you refuse, we will note PM/Altria's opposition in our motion papers.

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From: Greg.Sobolski@lw.com <Greg.Sobolski@lw.com>
Sent: Thursday, March 10, 2022 6:55 PM
To: Michalik, John M. <jmichalik@JonesDay.com>; Jared.Schubert@lw.com; pmiedva.lwteam@lw.com
Cc: RJREDVA <RJREDVA@jonesday.com>; cmolster@molsterlaw.com
Subject: RE: Case No: 1:20-cv-00393-LO-TCB - Pretrial Filings

**** External mail ****

John,

That motion would be premature. We're happy to meet and confer on the issue, but to make it productive, the right time is after Tuesday's disclosure of issues to be argued at the March 18 hearing.

To ensure that pre-trial narrowing is mutual, please tell us: (1) the specific number of prior art references and prior art combinations that RJR intends to present at trial for each asserted patent, (2) what RJR's proposed claim reduction is.

To date, we have not gotten that information. We'll take it into account and be ready to discuss early next week.

Thanks,
Greg

From: Michalik, John M. <jmichalik@JonesDay.com>
Sent: Thursday, March 10, 2022 3:53 PM
To: Schubert, Jared (NY) <Jared.Schubert@lw.com>; #C-M PMIEDVA - LW TEAM <pmiedva.lwteam@lw.com>
Cc: RJREDVA <RJREDVA@jonesday.com>; cmolster@molsterlaw.com
Subject: RE: Case No: 1:20-cv-00393-LO-TCB - Pretrial Filings

Jared - -

Per my email from Monday, please provide your availability tomorrow before noon ET to discuss our motion to reduce claims for trial, which we will be filing tomorrow so it can be heard on March 18.

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From: Jared.Schubert@lw.com <Jared.Schubert@lw.com>
Sent: Thursday, March 10, 2022 4:35 PM
To: RJREDVA <RJREDVA@jonesday.com>; cmolster@molsterlaw.com
Cc: pmiedva.lwteam@lw.com
Subject: Case No: 1:20-cv-00393-LO-TCB - Pretrial Filings

**** External mail ****

Counsel,

Per the parties' agreement, please find attached the proposed voir dire questions, preliminary and final jury instructions, and verdict form.

Regards,
Jared

Jared S. Schubert

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