

**UNITED STATES DISTRICT COURT  
CIVIL MOTION MINUTES**

Date: 03/18/2022

Time: 2:35 p.m. – 5:28 p.m.  
(02:53)

Judge: Liam O’Grady

Reporter: S. Wallace

Civil Action Number: 1:20cv393-LO-TCB

**RAI STRATEGIC HOLDINGS, INC., ET AL.,**

**V.**

**ALTRIA CLIENT SERVICES LLC, ET AL.,**

Appearances of Counsel for Plaintiff and Defendant

<u>Counsel for Plaintiffs</u>	<u>Counsel for Defendant</u>
<u>RAI &amp; RJ Reynolds:</u> Charles Molster, III David Maiorana Jennifer Weizenecker (phv) Bill Devitt Frank Byuk Sanjiv Laud Jason Burnette John Michalik	<u>Altria Client Services LLC &amp; Philip Morris USA, Inc.:</u> Maximilian Grant Elizabeth Weiswasser (phv) Jamie Underwood (phv) Sutton Ansley Brett Sandford Gregory Sobolski Tom Watson

Motions to/for:

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[872] MOTION in Limine No. 11 to Exclude Evidence and Testimony Regarding PM/Altria's IQOS Products by R.J. Reynolds Vapor Company, RAI Strategic Holdings, Inc.

**ARGUED AND TAKEN UNDER ADVISEMENT – ORDER TO FOLLOW**

[879] MOTION to Exclude the Testimony of Stacy Ehrlich by R.J. Reynolds Vapor Company, RAI Strategic Holdings, Inc.

**ARGUED AND TAKEN UNDER ADVISEMENT – ORDER TO FOLLOW**

[883] MOTION in Limine (Omnibus) by Altria Client Services LLC, Philip Morris Products S.A., Philip Morris USA, Inc.

**ARGUED AND TAKEN UNDER ADVISEMENT – ORDER TO FOLLOW**

[887] MOTION to Exclude Certain Expert Opinions of Joseph C. McAlexander by R.J. Reynolds Vapor Company, RAI Strategic Holdings, Inc.

**ARGUED AND TAKEN UNDER ADVISEMENT – ORDER TO FOLLOW**

[894] MOTION to Exclude the Testimony of Paul K. Meyer by R.J. Reynolds Vapor Company, RAI Strategic Holdings, Inc.

**ARGUED AND TAKEN UNDER ADVISEMENT – ORDER TO FOLLOW**

[903] MOTION to Exclude the Opinions of RJR's Experts Based on Rejected Claim Constructions by Altria Client Services LLC, Philip Morris Products S.A., Philip Morris USA, Inc.

**ARGUED AND TAKEN UNDER ADVISEMENT – ORDER TO FOLLOW**

[917] MOTION to Exclude Design-Around Testimony of RJR's Expert, David Clissold by Altria Client Services LLC, Philip Morris Products S.A., Philip Morris USA, Inc.

**ARGUED AND TAKEN UNDER ADVISEMENT – ORDER TO FOLLOW**

[1143] MOTION to be Heard on Prior Art Dispute at March 18, 2022 Hearing by Altria Client Services LLC, Philip Morris Products S.A., Philip Morris USA, Inc.

**ARGUED AND TAKEN UNDER ADVISEMENT – ORDER TO FOLLOW**

[1146] MOTION to Limit the Number of Asserted Counterclaim Patents and/or Claims by R.J. Reynolds Vapor Company, RAI Strategic Holdings, Inc.

**GRANTED IN PART AND DENIED IN PART – ORDER TO FOLLOW**

- Counterclaim plaintiffs are directed to identify a reasonable number of claims to be presented at trial. The Counterclaim Plaintiffs communicate those claims to the Counterclaim Defendants within 15 days.
- The Counterclaim Defendants are then to identify a reasonable number of pieces of prior art and prior art combinations to be presented at trial.
- In thirty days, the Parties are to notify the Court of all identifications.