

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

RAI STRATEGIC HOLDINGS, INC. and
R.J. REYNOLDS VAPOR COMPANY,

Plaintiffs and Counterclaim
Defendants,

v.

ALTRIA CLIENT SERVICES LLC; PHILIP
MORRIS USA INC.; and PHILIP MORRIS
PRODUCTS S.A.

Defendants and Counterclaim
Plaintiffs.

Civil Action No. 1:20-cv-393-LO-TCB

**PLAINTIFF PMI/ALTRIA'S MOTION TO SHOW CAUSE
WHY SANCTIONS SHOULD NOT BE IMPOSED**

Plaintiffs Altria Client Services, LLC, Philip Morris USA Inc., and Philip Morris Products S.A. (“PMI/Altria”) respectfully request the Court enter an order directing RJR to show cause why Defendants RAI Strategic Holdings, Inc. and R.J. Reynolds Vapor Company (“RJR”):

1. Failed to produce all documents responsive to RFP No. 224, including the documents quoted in the expert report that was presented to the Court at the March 18th hearing.
2. Made the representations to Judge Buchanan as described in PMI/Altria’s brief filed in support of its Motion to Show Cause.¹
3. Made the representations to the Court as described in PMI/Altria’s brief filed in support of its Motion to Show Cause.
4. Should not be ordered to produce all non-privileged documents responsive to RFP No. 224, list all such responsive documents, and make a 30(b)(6) witness available for a four-hour deposition on Topic 28.

¹ The descriptions in Nos. 2-3, and 5 reference PMI/Altria’s brief in support of PMI/Altria’s Motion to Show Cause in order to omit any confidential information in this motion.

5. Should not be sanctioned in the form of an evidentiary sanction as proposed in PMI/Altria's brief filed in support of its Motion to Show Cause.

The grounds for this motion are set forth in the accompanying brief, filed concurrently herewith. Pursuant to the local rules, counsel for PMI/Altria has conferred in good faith with counsel for RJR, telephonically and in written correspondence, regarding the subject matter of this motion, but were unable to reach agreement.

Dated: March 25, 2022

Respectfully submitted,

/s/ Maximilian A. Grant

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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of March, 2022, a true and correct copy of the foregoing was served using the Court's CM/ECF system, with electronic notification of such filing to all counsel of record:

/s/ Maximilian A. Grant _____

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