

EXHIBIT 6

**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.

Case No. 1:20cv00393-LO-TCB

**RAI STRATEGIC HOLDINGS, INC. AND R.J. REYNOLDS VAPOR COMPANY'S
OBJECTIONS AND RESPONSES TO ALTRIA CLIENT SERVICES LLC, PHILIP
MORRIS USA, INC., AND PHILIP MORRIS PRODUCTS S.A.'S EIGHTH SET OF
REQUESTS FOR PRODUCTION (NO. 224)**

Pursuant to Federal Rules of Civil Procedure 26 and 34, RAI Strategic Holdings, Inc. and R.J. Reynolds Vapor Company (collectively, "Reynolds") hereby responds to Altria Client Services LLC, Philip Morris USA, Inc., and Philip Morris Products S.A.'s (collectively, "Defendants" or "Counterclaim Plaintiffs") Eighth Set of Requests for Production (No. 224) as follows.

PRELIMINARY STATEMENT

Reynolds has not yet completed discovery relating to this case, and while it has made reasonable investigation for responsive information, its investigation of the facts is continuing. Reynolds objects and responds to these Requests for Production as it interprets and understands each request as set forth. Reynolds's objections and responses to these requests are made without prejudice to Reynolds's right to supplement, correct, or otherwise modify the objections and responses to the extent permitted under the Federal Rules of Civil Procedure, the Local Rules for

the U.S. District Court for the Eastern District of Virginia, or any other applicable rule or regulation. To the extent that Reynolds finds responsive, relevant, non-privileged information that is proportional to the needs of the case in its possession, custody, or control, Reynolds will produce that information or make it available for inspection in accordance with the protective order entered in this case.

Reynolds objects to the requests to the extent that they seek information subject to the attorney-client privilege, attorney work product immunity, the common interest privilege, or any other applicable privilege or immunity against disclosure. Such information will not be provided in response to the requests, and any inadvertent disclosure shall not be deemed a waiver of any privilege, work product protection, or other protection.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

Reynolds objects to the Definitions and Instructions to the extent that they seek to impose obligations on Reynolds more extensive than those required by the Federal Rules of Civil Procedure or the Local Civil Rules for the U.S. District Court for the Eastern District of Virginia, and specifically objects as follows:

1. Reynolds objects to the definition of “You,” “Plaintiffs,” “Counterclaim Defendants,” and “RJR” as overly broad and unduly burdensome because it incorporates entities and individuals that are not a party to this case and on whose behalf Reynolds lacks the authority and information to respond. Reynolds objects to the terms “You,” “Plaintiffs,” “Counterclaim Defendants,” and “RJR” as overly broad and unduly burdensome to the extent they purport to include either RAI Strategic Holdings, Inc.’s or R.J. Reynolds Vapor Company’s predecessors-in-interest, parents, subsidiaries, joint ventures, affiliates, assigns, attorneys, other affiliated or related businesses, and other legal entities whether wholly or partially owned or controlled by either RAI

Strategic Holdings, Inc. or R.J. Reynolds Vapor Company. Reynolds objects to the definition of “You,” “Plaintiffs,” “Counterclaim Defendants,” and “RJR” as overly broad and unduly burdensome to the extent they purport to include the principals, directors, officers, owners, members, representatives, employees, agents, consultants, accountants, and attorneys of either RAI Strategic Holdings, Inc. or R.J. Reynolds Vapor Company who are acting outside of their roles with respect to either of those companies. In responding to these requests, Reynolds shall construe “You,” “Plaintiffs,” “Counterclaim Defendants,” and “RJR” to refer to RAI Strategic Holdings, Inc. or R.J. Reynolds Vapor Company.

2. Reynolds objects to Defendants’/Counterclaim Plaintiffs’ definition of “RJR Accused Product(s)” as vague and ambiguous insofar as that definition includes products beyond those that have been specifically identified by Defendants/Counterclaim Plaintiffs in their Counterclaims or in their Response to Reynolds’s Interrogatory No. 8. In responding to these requests, Reynolds shall construe RJR Accused Products to refer only to the VUSE Solo[®], VUSE Vibe[™], VUSE Ciro[®], and VUSE Alto[®] devices and their associated flavor packs identified in Defendants’/Counterclaim Plaintiffs’ Counterclaims and in their Response to Reynolds’s Interrogatory No. 8.

3. Reynolds objects to Defendants’/Counterclaim Plaintiffs’ definition of “Counterclaim Asserted Patent(s)” as overly broad to the extent that definition includes patents that Defendants/Counterclaim Plaintiffs have not asserted in this case, or non-patent references such as patent applications. In responding to these requests, Reynolds shall construe Counterclaim Asserted Patents to refer to U.S. Patent No. 9,814,265, U.S. Patent No. 10,555,556, U.S. Patent No. 10,104,911, U.S. Patent No. 6,803,545, and U.S. Patent No. 10,420,374.

4. Reynolds objects to Defendants'/Counterclaim Plaintiffs' definition of "RJR Covered Product(s)" as overly broad to the extent it includes products made by third parties.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 224:

To the extent not produced in response to previous requests, all non-privileged documents related to Reynolds's settlement with Fontem and/or relating to the Fontem agreement, including any communications with Fontem.

OBJECTIONS:

Reynolds objects to this request as overly broad, unduly burdensome, and seeking information that is not relevant to any claim or defense in this case to the extent it seeks "All" Documents related to Reynolds's settlement with Fontem and/or relating to the Fontem agreement. The burden and expense of complying with the requested discovery far outweighs any likely benefit of obtaining that discovery, and therefore is not proportional to the needs of this case. *See* Fed. R. Civ. P. 26(b)(1).

RESPONSE:

Subject to and without waiving the foregoing objections, Reynolds responds as follows: Reynolds does not expect to produce Documents in response to this request beyond those already being produced in response to other requests.

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