

# EXHIBIT 1

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**From:** SurendraKumar.Ravula@lw.com  
**Sent:** Wednesday, April 27, 2022 3:59 PM  
**To:** Michalik, John M.; Greg.Sobolski@lw.com; Smith, Alexis Adian; RJREDVA; cmolster@molsterlaw.com  
**Cc:** pmiedva.lwteam@lw.com; anish.desai@weil.com; adrian.percer@weil.com; Elizabeth.Weiswasser@weil.com; Stephanie.Adamakos@weil.com; sutton.ansley@weil.com  
**Subject:** RE: Case No. 1:20-cv-00393-LO-TCB (E.D. Va.) - Claim/Prior Art Reduction

**\*\* External mail \*\***

John:

We disagree that Dkt. 1197 articulates the proposed prior art combinations for the 911 patent as you have in your email below. For that reason, we will need to meet and confer.

Please use the below dial-in at 4 pm CT.

1-877-205-3155  
180102

Thanks,  
Kumar

**Kumar Ravula**  
Pronouns: he/him/his

**LATHAM & WATKINS LLP**  
330 North Wabash Avenue, Suite 2800 | Chicago, IL 60611  
D: +1.312.876.6555

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**From:** Michalik, John M. <jmichalik@JonesDay.com>  
**Sent:** Wednesday, April 27, 2022 2:47 PM  
**To:** Ravula, Kumar (CH) <SurendraKumar.Ravula@lw.com>; Sobolski, Greg (Bay Area) <Greg.Sobolski@lw.com>; Smith, Alexis Adian <asmith@jonesday.com>; RJREDVA <RJREDVA@jonesday.com>; cmolster@molsterlaw.com  
**Cc:** #C-M PMIEDVA - LW TEAM <pmiedva.lwteam@lw.com>; anish.desai@weil.com; adrian.percer@weil.com; Elizabeth.Weiswasser@weil.com; Stephanie.Adamakos@weil.com; sutton.ansley@weil.com  
**Subject:** RE: Case No. 1:20-cv-00393-LO-TCB (E.D. Va.) - Claim/Prior Art Reduction

Kumar - -

We see no need to file a supplemental paper repeating the prior art combinations we already jointly submitted last week. It is unclear what remains to meet and confer about.

John M. Michalik  
Partner  
[JONES DAY® - One Firm Worldwide<sup>SM</sup>](#)  
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[jmichalik@jonesday.com](mailto:jmichalik@jonesday.com)

**\*Please note our new address effective April 25, 2022**

---

**From:** [SurendraKumar.Ravula@lw.com](mailto:SurendraKumar.Ravula@lw.com) <[SurendraKumar.Ravula@lw.com](mailto:SurendraKumar.Ravula@lw.com)>  
**Sent:** Wednesday, April 27, 2022 1:08 PM  
**To:** Michalik, John M. <[jmichalik@JonesDay.com](mailto:jmichalik@JonesDay.com)>; [Greg.Sobolski@lw.com](mailto:Greg.Sobolski@lw.com); Smith, Alexis Adian <[asmith@jonesday.com](mailto:asmith@jonesday.com)>; RJREDVA <[RJREDVA@jonesday.com](mailto:RJREDVA@jonesday.com)>; [cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)  
**Cc:** [pmiedva.lwteam@lw.com](mailto:pmiedva.lwteam@lw.com); [anish.desai@weil.com](mailto:anish.desai@weil.com); [adrian.percer@weil.com](mailto:adrian.percer@weil.com); [Elizabeth.Weiswasser@weil.com](mailto:Elizabeth.Weiswasser@weil.com); [Stephanie.Adamakos@weil.com](mailto:Stephanie.Adamakos@weil.com); [sutton.ansley@weil.com](mailto:sutton.ansley@weil.com)  
**Subject:** RE: Case No. 1:20-cv-00393-LO-TCB (E.D. Va.) - Claim/Prior Art Reduction

**\*\* External mail \*\***

John:

Thanks for the response. Will RJR agree to a supplemental filing that articulates the proposed prior art combinations for the 911 patent as you have below?

Please let us know by 4 pm CT today. If RJR will not agree to a supplemental filing, please confirm that you are available for a meet and confer at 4 pm CT today. If I do not hear back, we will open the line at 4 pm CT with the dial-in info from my earlier email today.

Thanks,  
Kumar

**Kumar Ravula**  
Pronouns: he/him/his

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---

**From:** Michalik, John M. <[jmichalik@JonesDay.com](mailto:jmichalik@JonesDay.com)>  
**Sent:** Wednesday, April 27, 2022 11:32 AM  
**To:** Ravula, Kumar (CH) <[SurendraKumar.Ravula@lw.com](mailto:SurendraKumar.Ravula@lw.com)>; Sobolski, Greg (Bay Area) <[Greg.Sobolski@lw.com](mailto:Greg.Sobolski@lw.com)>; Smith, Alexis Adian <[asmith@jonesday.com](mailto:asmith@jonesday.com)>; RJREDVA <[RJREDVA@jonesday.com](mailto:RJREDVA@jonesday.com)>; [cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)  
**Cc:** #C-M PMIEDVA - LW TEAM <[pmiedva.lwteam@lw.com](mailto:pmiedva.lwteam@lw.com)>; [anish.desai@weil.com](mailto:anish.desai@weil.com); [adrian.percer@weil.com](mailto:adrian.percer@weil.com); [Elizabeth.Weiswasser@weil.com](mailto:Elizabeth.Weiswasser@weil.com); [Stephanie.Adamakos@weil.com](mailto:Stephanie.Adamakos@weil.com); [sutton.ansley@weil.com](mailto:sutton.ansley@weil.com)  
**Subject:** RE: Case No. 1:20-cv-00393-LO-TCB (E.D. Va.) - Claim/Prior Art Reduction

Kumar - -

Your email incorrectly counts the number of prior art combinations Reynolds may present at trial for the 3 asserted claims of the '911 patent. For claim 11, Xia or Cho or Han in combination with Shizumu constitutes 3 prior art combinations. For claim 2, Xia or Cho or Han in combination with Shizumu and either Murphv or Egilmex constitutes 6

prior art combinations. And for claim 12, Cho or Han in combination with Shizumu in further view of Xia constitutes 2 additional prior art combinations. That is a total of 11 combinations across 3 asserted claims, which is consistently found to be a reasonable number in the case law we previously cited in our briefing on our motion to reduce the number of claims for trial (see Dkt. 1154). We trust this resolves your complaint.

John M. Michalik  
Partner  
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[jmichalik@jonesday.com](mailto:jmichalik@jonesday.com)

**\*Please note our new address effective April 25, 2022**

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**From:** [SurendraKumar.Ravula@lw.com](mailto:SurendraKumar.Ravula@lw.com) <[SurendraKumar.Ravula@lw.com](mailto:SurendraKumar.Ravula@lw.com)>  
**Sent:** Wednesday, April 27, 2022 11:09 AM  
**To:** [Greg.Sobolski@lw.com](mailto:Greg.Sobolski@lw.com); Smith, Alexis Adian <[asmith@jonesday.com](mailto:asmith@jonesday.com)>; Michalik, John M. <[jmichalik@JonesDay.com](mailto:jmichalik@JonesDay.com)>; RJREDVA <[RJREDVA@jonesday.com](mailto:RJREDVA@jonesday.com)>; [cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)  
**Cc:** [pmiedva.lwteam@lw.com](mailto:pmiedva.lwteam@lw.com); [anish.desai@weil.com](mailto:anish.desai@weil.com); [adrian.percer@weil.com](mailto:adrian.percer@weil.com); [Elizabeth.Weiswasser@weil.com](mailto:Elizabeth.Weiswasser@weil.com); [Stephanie.Adamakos@weil.com](mailto:Stephanie.Adamakos@weil.com); [sutton.ansley@weil.com](mailto:sutton.ansley@weil.com)  
**Subject:** RE: Case No. 1:20-cv-00393-LO-TCB (E.D. Va.) - Claim/Prior Art Reduction

**\*\* External mail \*\***

Counsel,

Having continued to receive no response, we will open the line at 2 PM CT and make ourselves available to meet and confer on the issue raised below. Please use the following dial-in:

1-877-205-3155  
180102

Thanks,  
Kumar

**Kumar Ravula**  
Pronouns: he/him/his

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D: +1.312.876.6555

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**From:** Ravula, Kumar (CH) <[SurendraKumar.Ravula@lw.com](mailto:SurendraKumar.Ravula@lw.com)>  
**Sent:** Tuesday, April 26, 2022 2:33 PM  
**To:** Sobolski, Greg (Bay Area) <[Greg.Sobolski@lw.com](mailto:Greg.Sobolski@lw.com)>; Smith, Alexis Adian <[asmith@jonesday.com](mailto:asmith@jonesday.com)>; Michalik, John M. <[jmichalik@JonesDay.com](mailto:jmichalik@JonesDay.com)>; RJREDVA <[RJREDVA@jonesday.com](mailto:RJREDVA@jonesday.com)>; [cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)  
**Cc:** #C-M PMIEDVA - LW TEAM <[pmiedva.lwteam@lw.com](mailto:pmiedva.lwteam@lw.com)>; [anish.desai@weil.com](mailto:anish.desai@weil.com); [adrian.percer@weil.com](mailto:adrian.percer@weil.com);

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**Subject:** RE: Case No. 1:20-cv-00393-LO-TCB (E.D. Va.) - Claim/Prior Art Reduction

Counsel: Please let us know when you are available for a meet and confer today or tomorrow. We are generally available. Thanks.

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

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**From:** Ravula, Kumar (CH) <[SurendraKumar.Ravula@lw.com](mailto:SurendraKumar.Ravula@lw.com)>

**Date:** Monday, Apr 25, 2022, 10:53 AM

**To:** Sobolski, Greg (Bay Area) <[Greg.Sobolski@lw.com](mailto:Greg.Sobolski@lw.com)>, Smith, Alexis Adian <[asmith@jonesday.com](mailto:asmith@jonesday.com)>, Michalik, John M. <[jmichalik@JonesDay.com](mailto:jmichalik@JonesDay.com)>, RJREDVA <[RJREDVA@jonesday.com](mailto:RJREDVA@jonesday.com)>, [cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com) <[cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)>

**Cc:** #C-M PMIEDVA - LW TEAM <[pmiedva.lwteam@lw.com](mailto:pmiedva.lwteam@lw.com)>, [anish.desai@weil.com](mailto:anish.desai@weil.com) <[anish.desai@weil.com](mailto:anish.desai@weil.com)>, [adrian.percer@weil.com](mailto:adrian.percer@weil.com) <[adrian.percer@weil.com](mailto:adrian.percer@weil.com)>, [Elizabeth.Weiswasser@weil.com](mailto:Elizabeth.Weiswasser@weil.com) <[Elizabeth.Weiswasser@weil.com](mailto:Elizabeth.Weiswasser@weil.com)>, [Stephanie.Adamakos@weil.com](mailto:Stephanie.Adamakos@weil.com) <[Stephanie.Adamakos@weil.com](mailto:Stephanie.Adamakos@weil.com)>, [sutton.ansley@weil.com](mailto:sutton.ansley@weil.com) <[sutton.ansley@weil.com](mailto:sutton.ansley@weil.com)>

**Subject:** RE: Case No. 1:20-cv-00393-LO-TCB (E.D. Va.) - Claim/Prior Art Reduction

Counsel:

Counterclaim Plaintiffs object to the number of prior art combinations identified by RJR for the asserted claims of the '911 patent. See Dkt. 1197. In particular, RJR has identified at least 18 combinations for just claim 2 of the '911 Patent, at least 6 combinations for claim 11, and at least 10 combinations for claim 12. Indeed, some of these combinations were not even disclosed by Mr. Kodama in his expert reports.

Please let us know if RJR is willing to narrow its identification to no more than 3 combinations per asserted claim, none of which are undisclosed by Mr. Kodama. If not, please let us know when you are available for a meet and confer anytime tomorrow or Wednesday.

Thanks,  
Kumar

**Kumar Ravula**

Pronouns: he/him/his

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---

**From:** Sobolski, Greg (Bay Area) <[Greg.Sobolski@lw.com](mailto:Greg.Sobolski@lw.com)>

**Sent:** Wednesday, April 20, 2022 5:18 PM

**To:** Smith, Alexis Adian <[asmith@jonesday.com](mailto:asmith@jonesday.com)>; Michalik, John M. <[jmichalik@JonesDay.com](mailto:jmichalik@JonesDay.com)>; RJREDVA <[RJREDVA@jonesday.com](mailto:RJREDVA@jonesday.com)>; [cmolster@molsterlaw.com](mailto:cmolster@molsterlaw.com)

**Cc:** #C-M PMIEDVA - LW TEAM <[pmiedva.lwteam@lw.com](mailto:pmiedva.lwteam@lw.com)>; [anish.desai@weil.com](mailto:anish.desai@weil.com); [adrian.percer@weil.com](mailto:adrian.percer@weil.com); [Elizabeth.Weiswasser@weil.com](mailto:Elizabeth.Weiswasser@weil.com); [Stephanie.Adamakos@weil.com](mailto:Stephanie.Adamakos@weil.com); [sutton.ansley@weil.com](mailto:sutton.ansley@weil.com)

**Subject:** RE: Case No. 1:20-cv-00393-LO-TCB (E.D. Va.) - Claim/Prior Art Reduction

Thanks, Lexi. Without waiving our rights, you can e-sign for Max and Liz on behalf of plaintiffs.

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