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May 23, 2022

VIA ECF FILING

The Honorable Liam O’Grady
United States District Judge
Albert V. Bryan U.S. Courthouse
401 Courthouse Square
Alexandria, VA 22314

Re: *RAI Strategic Holdings, Inc. et al. v. Altria Client Services LLC, et al.*,
No. 1:20-cv-393-LO-TCB (E.D. Va.)

Dear Judge O’Grady:

We inform the Court of a development regarding the trial conflicts for the two Philip Morris experts discussed at Friday’s hearing.

The good news is that earlier today, the Federal Circuit granted the mandamus petition filed by the Defendants (Google, Waze, and Samsung) in the *AGIS* cases, transferring those cases to the United States District Court for the Northern District of California.¹ That fully resolves the trial conflicts for Messrs. McAlexander and Meyer.

Plaintiffs promptly conferred with counsel for Defendants. Both sides stand ready to proceed with trial on June 7, as currently set, or on June 6 as originally scheduled, whichever the Court prefers.

Sincerely,

/s/Maximilian A. Grant

Maximilian A. Grant
of LATHAM & WATKINS LLP

*Counsel for Plaintiffs Altria Client Services LLC,
Philip Morris USA Inc., and Philip Morris
Products S.A.*

¹ The Federal Circuit’s order is attached hereto as Exhibit A. Defense Counsel in the *AGIS* cases informed counsel for Phillip Morris of the Federal Circuit’s order at 10:45 a.m. this morning. We obtained a copy at 11:25 a.m., and conferred with Reynolds’ counsel immediately thereafter.