

**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. 1:20-cv-00393-LO-TCB

**JOINT STIPULATION REGARDING EXHIBITS**

The Parties jointly and respectfully submit this stipulation in order to streamline the issues and facilitate the use of exhibits at trial.

Specifically, the Parties stipulate to not object on authenticity or hearsay grounds to any exhibit on the parties' respective exhibit lists that have been produced by either party and appear on their face to be business records (e.g., internal emails, financials, and PowerPoint presentations created by the producing party in the ordinary course of their business). Such documents are admissible if used with a witness, including an expert witness, subject to resolution of other objections to the admissibility of these exhibits, including but not limited to Federal Rules of Evidence 106, 401, 402, 403, 408, 805 (hearsay within hearsay objections), and any applicable orders on the parties' motions *in limine*, as well as objections on the grounds that the documents were not timely produced, were not timely disclosed, or were not within the scope of an expert's report, pursuant to Federal Rule of Civil Procedure 26. The stipulation does not waive other objections to the admissibility of these exhibits. The Parties further stipulate not to object on foundation grounds to the admission of an exhibit through an expert witness as long as the requirements of Federal Rule of Civil Procedure 26 have been met, including but not limited to being within the scope of the opinions disclosed in the expert's report, timely produced, and timely disclosed. This stipulation does not waive the Parties' other objections to exhibits admitted through an expert witness.

Sincerely,

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