

**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

REYNOLDS'S FOURTH AMENDED TRIAL EXHIBIT LIST

Pursuant to Federal Rule of Civil Procedure 26(a)(3) and the Court's Scheduling Orders (Dkt. Nos. 97, 99, 461, 535, and 680), R.J. Reynolds Vapor Company ("Reynolds") submits the fourth amended list of exhibits attached as Exhibit A that Reynolds intends to offer in the trial on claims related to United States Patent Numbers 9,814,265 and 10,104,911 asserted by Philip Morris Products S.A. ("PMP"), other than those solely for impeachment or rebuttal. Reynolds reserves the right to submit a new, amended, or supplemental list of exhibits on issues related to PMP's equitable claim for injunctive relief, which is currently held in abeyance. Reynolds also reserves the right to submit a new, amended, or supplemental list of exhibits for subsequent trial on claims related to Reynolds's United States Patent Nos. 9,814,238, 9,901,123, 9,930,915, and 10,492,542. Reynolds reserves the right to offer, or not offer, as an exhibit at trial any item listed herein. Reynolds reserves the right to object to the offering as an exhibit at trial any item listed herein by PMP. Reynolds reserves the right to offer as an exhibit at trial any item designated by PMP or listed by PMP on its exhibit list. Reynolds reserves the right to offer for rebuttal or impeachment items that are not identified on this list.

Reynolds also reserves the right to supplement, amend, or otherwise modify this exhibit list as appropriate, including but not limited to the right to supplement this list with any late-produced or late-served documents or based on PMP's trial presentation, as may be appropriate. Inclusion on this list is neither an admission nor a representation as to the admissibility of or relevance to any issue of any item. By listing an item, Reynolds is neither representing nor admitting that it has the burden of proof on any topic to which that item relates. Reynolds reserves the right to offer demonstratives for opening statements and closing argument, and to use demonstratives during witness examinations. Reynolds reserves the right to present excerpts from any exhibit identified on either party's exhibit list as a demonstrative at trial as appropriate. Reynolds reserves the right to request redaction of any of the exhibits.

Further, Reynolds reserves the right to supplement, amend, or otherwise modify this exhibit list as appropriate based on further exchanges between the parties or rulings from the Court.

Dated: June 8, 2022

Stephanie E. Parker
JONES DAY
1221 Peachtree Street, N.E.
Suite 400
Atlanta, GA 30361
Telephone: (404) 521-3939
Facsimile: (404) 581-8330
Email: separker@jonesday.com

Anthony M. Insogna
JONES DAY
4655 Executive Drive
Suite 1500
San Diego, CA 92121
Telephone: (858) 314-1200
Facsimile: (844) 345-3178
Email: aminsogna@jonesday.com

William E. Devitt
JONES DAY
110 North Wacker Drive
Suite 4800
Chicago, IL 60606
Telephone: (312) 269-4240
Facsimile: (312) 782-8585
Email: wdevitt@jonesday.com

Sanjiv P. Laud
JONES DAY
90 South Seventh Street
Suite 4950
Minneapolis, MN 55402
Telephone: (612) 217-8800
Facsimile: (844) 345-3178
Email: slaud@jonesday.com

/s/ David M. Maiorana
David M. Maiorana (VA Bar No. 42334)
Ryan B. McCrum
JONES DAY
901 Lakeside Avenue
Cleveland, OH 44114
Telephone: (216) 586-3939
Facsimile: (216) 579-0212
Email: dmaiorana@jonesday.com
Email: rbmccrum@jonesday.com

John J. Normile
JONES DAY
250 Vesey Street
New York, NY 10281
Tel: (212) 326-3939
Fax: (212) 755-7306
Email: jjnormile@jonesday.com

Alexis A. Smith
JONES DAY
555 South Flower Street
Fiftieth Floor
Los Angeles, CA 90071
Telephone: (213) 243-2653
Facsimile: (213) 243-2539
Email: asmith@jonesday.com

Charles B. Molster, III (VA Bar No. 23613)
The Law Offices of Charles B. Molster III PLLC
2141 Wisconsin Ave., N.W., Suite M
Washington, DC 20007
Telephone: (703) 346-1505
Email: cmolster@molsterlaw.com

*Counsel for Plaintiffs RAI Strategic Holdings, Inc.
and R.J. Reynolds Vapor Company*

CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2022, a true and correct copy of the foregoing was served via e-mail to all counsel of record.

Dated: June 8, 2022

/s/ David M Maiorana

David M. Maiorana (VA Bar No. 42334)

JONES DAY

901 Lakeside Avenue

Cleveland, OH 44114

Telephone: (216) 586-3939

Facsimile: (216) 579-0212

Email: dmaiorana@jonesday.com

EXHIBIT A

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.