

Exhibit A

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA

3 Alexandria Division

4 RAI STRATEGIC HOLDINGS, :
5 INC. and R.J. REYNOLDS :
6 VAPOR COMPANY, :
7 Plaintiffs/ :
8 Counterclaim Defendants, : Case No.
9 v. : 1:20-cv-00393-LO-TCB
10 ALTRIA CLIENT SERVICES LLC; :
11 PHILIP MORRIS USA INC.; and :
12 PHILIP MORRIS PRODUCTS S.A., :
13 Defendants/ :
14 Counterclaim Plaintiffs. :

15
16 CONFIDENTIAL

17 VIDEOTAPED DEPOSITION of JAMES FIGLAR, Ph.D.

18 Friday, June 3, 2022

19 6:54 a.m. CST

20 Job No.: 450979

21 Pages: 1 - 175

22 Reported By: Michelle M. Yohler, CSR, RMR, CRR

1 BY MR. NAPLES: 07:07:55

2 Q And what do you anticipate testifying to 07:07:55

3 in your direct examination? 07:08:00

4 MR. QUINLAN: Object to form. I would 07:08:02

5 just note for the record our objection is a 07:08:04

6 privilege objection. 07:08:08

7 Dr. Figlar, to the extent you can answer 07:08:09

8 that question without revealing any other 07:08:11

9 conversations we've had or privileged 07:08:13

10 conversations we've had, go ahead and do it. 07:08:17

11 BY THE WITNESS: 07:08:18

12 A I think, you know, in essence my testimony 07:08:19

13 is going to be about reduce risk development, 07:08:22

14 overall what Reynolds has done over the years. I 07:08:25

15 have a pretty strong background on the history of 07:08:28

16 what Reynolds has done. 07:08:31

17 And then obviously talk about the specific 07:08:32

18 patents that are in this litigation. Of course 07:08:35

19 you and I have talked about that in detail in the 07:08:40

20 past. I don't think those facts changed. So I'm 07:08:43

21 prepared to discuss those issues and answer 07:08:46

22 questions with regard to that. 07:08:49

1 So that -- I think that will be, you know, 07:08:50
2 pretty high-level summary of what my -- my direct 07:08:57
3 is going to focus on. 07:09:00

4 BY MR. NAPLES: 07:09:01

5 Q Sure. When you say "discuss the patents," 07:09:01
6 what do you mean? 07:09:03

7 A Well, I mean, the -- the patent issues 07:09:07
8 that are, you know, at large in this case, you 07:09:08
9 know, with regard to how is -- how our products 07:09:13
10 constructed, do they -- not -- you know, what is 07:09:18
11 the comp- -- what is the composition of our 07:09:23
12 products versus what's stated in the patents. 07:09:25

13 And so I'll certainly be able to talk 07:09:28
14 about how our products differ than -- than what is 07:09:30
15 in the patent -- 07:09:36

16 Q Are you intending -- sorry. Are you 07:09:38
17 intending to offer an opinion that the accused 07:09:41
18 products do not practice a particular limitation 07:09:44
19 in any of the patents? 07:09:48

20 MR. QUINLAN: Object to form. Calls for a 07:09:50
21 legal conclusion. Beyond the scope. 07:09:53
22

1 engineers would make sure the specs are all lined 09:30:03

2 up and all that kind of stuff, but... 09:30:05

3 Q Who knows more about the technical details 09:30:08

4 of the Vuse products, you or Mr. Hunt? 09:30:15

5 MR. QUINLAN: Object to form. Beyond the 09:30:19

6 scope. Speculation. 09:30:20

7 BY THE WITNESS: 09:30:21

8 A Yeah, I mean, I don't know what -- what 09:30:21

9 Mr. Hunt knows. But my guess is he's probably got 09:30:23

10 a better handle on the technical specifications of 09:30:30

11 the -- of the products than I would. 09:30:33

12 If you want to ask me detailed questions 09:30:36

13 about individual pieces and parts, that's probably 09:30:38

14 not me. I can talk generally about the technical 09:30:41

15 aspects of the product, how they work, what the 09:30:47

16 public health aspects are, you know, general 09:30:51

17 knowledge about the overall technology that goes 09:30:58

18 into them, what kinds of -- you know, does it have 09:31:01

19 software, what kind of software. 09:31:04

20 I mean, I know those things. But if you 09:31:06

21 want to get down into the dirty details about how 09:31:07

22 each individual component works and functions, 09:31:12

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