


# Exhibit A

Case Clip(s) Detailed Report  
Wednesday, June 08, 2022, 7:31:01 PM

PMI v. RJR EDVa Trial

 Figlar, James (Vol. 01) - 06/24/2021

1 CLIP (RUNNING 00:04:55.711)

 Figlar,J\_062421\_ALL\_TRIMMED

JF-ALL2-FINAL 15 SEGMENTS (RUNNING 00:04:55.711)



1. PAGE 6:20 TO 6:21 (RUNNING 00:00:00.810)

20 Q. Can you please just state your  
21 full name and address for the record.

2. PAGE 6:22 TO 6:22 (RUNNING 00:00:01.549)

22 A. James Neil Figlar. I'm currently

3. PAGE 7:03 TO 7:05 (RUNNING 00:00:08.690)

03 Q. And who's your employer?  
04 A. My employer was R.J. Reynolds. I  
05 retired just late last year at the end of 2020.

4. PAGE 132:21 TO 133:01 (RUNNING 00:00:06.427)

21 Q. Does Reynolds keep track of Philip  
22 Morris and Altria patents?  
00133:01 A. Yes.

5. PAGE 133:03 TO 133:10 (RUNNING 00:00:24.592)

03 A. And not to just -- yes, Altria, we  
04 look at the full patent landscape, depending on  
05 the category. So, S'mores in there, NJoy, all  
06 the big players, all the manufacturers, we keep  
07 a close eye on the patent literature, and it's  
08 very active. Reynolds has lots of patents as  
09 well. So, I mean, we're all active in patenting  
10 technology.

6. PAGE 133:11 TO 133:13 (RUNNING 00:00:06.237)

11 Q. So Reynolds was aware of all the  
12 patents asserted in this case before the case  
13 was filed then, correct?

7. PAGE 133:16 TO 134:02 (RUNNING 00:00:29.455)

16 A. I mean, in terms of the -- the  
17 specific ones, probably so. We've probably seen  
18 them. We've probably seen all of these patents,  
19 yeah.  
20 Q. These specific patents you mean?  
21 A. In all likelihood they were known  
22 to or had been seen by people at Reynolds.  
00134:01 Q. How many people at Reynolds review  
02 competitor patents?

8. PAGE 134:05 TO 134:17 (RUNNING 00:00:42.576)

05 A. I don't know how many people are  
06 actively doing it on a daily basis, but you have  
07 part of Reynolds' legal team looks at that. I  
08 know we have at least two lawyers that are  
09 in-house lawyers for Reynolds that are in  
10 patents. And then plus we have outside counsel  
11 that provides information.  
12 And then typically what happens,

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13 and what used to happen at least on a monthly  
14 basis, is every time there's a new iteration of  
15 patent publications, the lawyers would compile  
16 it and send it out to the scientists and people  
17 like myself and others --

**9. PAGE 135:06 TO 135:15 (RUNNING 00:00:23.320)**

06 A. There is a process and an email  
07 goes out and you have the opportunity to open up  
08 that file and look at all the patents that have  
09 issued in that month by all the competitors in  
10 the category. And that's all it is, just an  
11 information sharing exercise, is what I'm  
12 talking about.

13 Q. Understood. Who sends out that  
14 email?

15 A. In-house, in-house counsel.

**10. PAGE 137:06 TO 137:08 (RUNNING 00:00:09.512)**

06 Q. Who received this email?

07 A. Most -- a lot of people in R&D  
08 working on technology.

**11. PAGE 137:14 TO 137:22 (RUNNING 00:00:27.488)**

14 Q. And this is just something the  
15 legal team would just send out on their own  
16 every month?

17 A. I mean, it was simply just what  
18 published in the US Patent and World Patent  
19 literature on that basis, based on our product  
20 category. So it was literally the abstracts of  
21 the patents.

22 Q. Okay. And why would they send it?

**12. PAGE 138:07 TO 139:05 (RUNNING 00:01:00.775)**

07 A. Again, this is not an evaluation.  
08 This is simply -- it was like broadcast news.  
09 Here's what came out of the patent offices, WTO  
10 and US Patent Office. Here are the abstracts,  
11 here's the categories. Our patents would be in  
12 there and everybody else in the industry is what  
13 I'm talking about.

14 So on a quarterly basis you would  
15 get this report. It was just a compilation of  
16 the abstracts of the patents, so that people had  
17 an awareness of what was happening in the  
18 business.

19 I mean, a lot of them, most of the  
20 patents actually is about how to make a better  
21 cigarette maker, how to make a new flywheel spin  
22 faster for cigarette makers and things like  
00139:01 that, but it covered the whole category. So  
02 that's how you become aware of what's happening  
03 from a patent perspective.

04 Q. And why do you think this email  
05 was circulated within Reynolds?

**13. PAGE 139:10 TO 139:16 (RUNNING 00:00:27.025)**

10 A. Again, it is information as a  
11 technology development company you need to be  
12 aware of. Where are people, what are we getting  
13 cleared, what are people doing? It's a good  
14 place to get ideas on where the industry is  
15 going, where technology is going. It's

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16 important to be up to date on patents.

**14. PAGE 213:14 TO 213:15 (RUNNING 00:00:07.071)**

14 Q. How much money do you estimate  
15 Reynolds spent on the PMTA for the Alto?

**15. PAGE 214:02 TO 214:07 (RUNNING 00:00:20.184)**

02 A. Okay. In terms of our overall  
03 budget over the course of the last five years,  
04 it has been in the hundreds of millions of  
05 dollars for all of Vuse products. So a portion  
06 of that, certainly tens of millions. Tens of  
07 millions for Alto, for sure.

**TOTAL: 1 CLIP FROM 1 DEPOSITION (RUNNING 00:04:55.711)**