

**IN THE 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

**BRIEF IN SUPPORT OF THE PARTIES' JOINT MOTION TO MODIFY
SCHEDULING ORDER**

Pursuant to the Court's directive at the December 4, 2020, motions hearing (*see* Dkt. 444 at 10:5-12), Plaintiffs RAI Strategic Holdings, Inc. and R.J. Reynolds Vapor Company and Defendants Altria Client Services LLC, Philip Morris USA Inc., and Philip Morris Products S.A. (collectively, "the Parties") respectfully submit a joint proposed case schedule.

The Court lifted the stay on Defendants' counterclaims on February 16, 2021. (Dkt. 456.) The Parties conferred and respectfully move the Court to adopt the following proposed schedule:

Event	Proposed Deadline
Opening Expert Reports	February 24, 2021
Responsive Expert Reports	March 24, 2021
Close of Discovery	April 12, 2021
Last Day to File Dispositive Motions	April 16, 2021
Parties File Pre-Trial Disclosures Exhibit List, Witness List, Written Stipulation of Uncontested Facts	April 16, 2021
Final Pretrial Conference	April 16, 2021
File Objections to Trial Exhibits	April 26, 2021

The Parties are cognizant of the Court's directions at the December 4, 2020 hearing that the existing schedule will restart precisely where it left off, if and when the Court's stay was lifted. Hearing Tr. at 11-12 (Dec. 4, 2020). At the request of several of its experts, who are professors at the University of Virginia, Georgia Institute of Technology, and Auburn University, Plaintiffs RAI Strategic Holdings, Inc. and R.J. Reynolds Vapor Company requested additional days be added to that schedule for Opening and Responsive Expert reports; Defendants Altria Client Services LLC, Philip Morris USA Inc., and Philip Morris Products S.A. do not oppose adding two additional days, which are included in the proposed schedule.

The Parties respectfully request that their Joint Motion to Modify Scheduling Order be granted.

Dated: February 18, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of February, 2021, a true and correct copy of the foregoing was served using the Court's CM/ECF system, with electronic notification of such filing to all counsel of record.

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