

EXHIBIT 3

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

RAI STRATEGIC HOLDINGS, INC. AND R.J.
REYNOLDS VAPOR COMPANY

Plaintiff 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

**DEFENDANTS' THIRD NOTICE OF DEPOSITION OF PLAINTIFFS RAI
STRATEGIC HOLDINGS, INC. AND R.J. REYNOLDS VAPOR COMPANY
PURSUANT TO FED. R. CIV. P. 30(b)(6)**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 30(b)(6), Altria Client Services LLC, Philip Morris USA, Inc., and Philip Morris Products S.A. (collectively, "Defendants or "Counterclaim Plaintiffs"), by and through their attorneys, will take the deposition upon oral examination of RAI Strategic Holdings, Inc. and R.J. Reynolds Vapor Company (together, "Plaintiffs" or "Counterclaim Defendants").

The deposition will begin on April 2, 2021, at 9:00 a.m., at the offices of Latham & Watkins LLP, 555 Eleventh Street, N.W., Suite 1000, Washington, DC 20004 or at another mutually agreeable time and place (including by remote video conference, if required), and will continue from day to day thereafter until completed. The deposition shall be for all allowable purposes under the Federal Rules of Civil Procedure. The deposition will be recorded by a certified court

reporter and may be videotaped. Defendants reserve the right to supplement and/or amend this Notice, as necessary.

Pursuant to Federal Rule of Civil Procedure 30(b)(6), Plaintiffs are required to designate one or more officers, directors, managing agents, or other persons who consent to testify on its behalf about each numbered category set forth in Exhibit A, and identify in writing at least five (5) business days in advance of the deposition the name(s) and title(s) of the person(s) who will testify on their behalf and the subject matter on which such person will testify.

Dated: March 12, 2021

By: /s/ Maximilian A. Grant

Maximilian A. Grant (VSB No. 9179)
(max.grant@lw.com)
Matthew J. Moore (pro hac vice)
matthew.moore@lw.com
Latham & Watkins LLP
555 Eleventh Street, N.W., Suite 1000
Washington, DC 20004
Telephone: (202) 637-2200
Facsimile: (202) 637-2201

Clement J. Naples (pro hac vice)
clement.naples@lw.com
LATHAM & WATKINS LLP
885 Third Avenue
New York, NY 10022-4834
Tel: (212) 906-1200; Fax: (212) 751-4864

Gregory J. Sobolski (pro hac vice)
greg.sobolski@lw.com
Latham & Watkins LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111
Telephone: (415) 391-0600
Facsimile: (415) 395-8095

Brenda L. Danek (pro hac vice)
brenda.danek@lw.com
LATHAM & WATKINS LLP
330 North Wabash Avenue, Suite 2800
Chicago, IL 60611
Tel: (312) 876-7700; Fax: (312) 993-9767

*Counsel for Defendants Altria Client Services LLC,
Philip Morris USA Inc., and Philip Morris Products
S.A.*

ATTACHMENT A

DEFINITIONS & INSTRUCTIONS

The Definitions and Instructions in Defendants' First Set of Requests for the Production of Documents, served on August 11, 2020, are incorporated herein by reference. Additional instructions are set forth below.

1. Your designee(s) shall be prepared to testify fully on the following topics, after conducting a diligent and thorough investigation into all information within your possession, custody, or control. Each topic encompasses Documents relating to and the Persons most knowledgeable about the subject matter of the topic.

2. In the event you refuse to fully respond to a topic on the basis of a claim of attorney-client privilege, you shall at least respond to that portion of the topic that is unobjectionable and specifically identify that portion of the topic that is allegedly protected by attorney-client privilege.

3. In the event you refuse to fully respond to a topic on the basis of a claim of overbreadth, you shall at least respond to that portion of the topic that is unobjectionable and specifically identify that portion of the topic that is allegedly overbroad.

4. In the event you refuse to fully respond to a topic on the basis of undue burden, you shall at least respond to that portion of the topic that is unobjectionable and specifically identify that portion of the topic that allegedly presents undue burden.

5. Each topic should be construed independently. No topic should be construed by reference to any other topics for the purpose of limiting the scope of response to such topic.

6. Any topic "relating to" or "related to" a particular subject shall be construed in its most-inclusive sense and shall be considered a topic that relates to, refers to, discusses, summarizes, reflects, constitutes, contains, embodies, pertains to, mentions, consists of, comprises, shows, comments on, evidences, describes, or in any other way concerns the subject matter.

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.