

EXHIBIT 4

**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

**PLAINTIFF R.J. REYNOLDS VAPOR COMPANY'S TWELFTH SET OF REQUESTS
FOR PRODUCTION TO DEFENDANT PHILIP MORRIS PRODUCTS S.A.
(NOS. 430-460)**

Pursuant to Federal Rules of Civil Procedure 26 and 34, Plaintiff R.J. Reynolds Vapor Company ("RJR"), by its undersigned attorneys, hereby requests Defendant Philip Morris Products S.A. ("PMP") respond in writing and produce the Documents and things requested below in accordance with the Definitions and Instructions contained herein, and serve such documents on Plaintiffs' counsel, Jones Day, 901 Lakeside Avenue, Cleveland, Ohio 44114, within fourteen days as required by the Court's March 12, 2021, Order (Dkt. No. 483).

DEFINITIONS

1. "ACS" shall each mean and refer to Altria Client Services LLC, including without limitation all of its corporate locations, and all predecessors, predecessors-in-interest, and all past or present directors, officers, agents, representatives, employees, consultants, attorneys, entities acting in joint venture, licensing agreements, or partnership relationships with ACS, and others acting on behalf of ACS.

2. “Communication” or “Communications” means every manner or method of disclosure or transfer or exchange of information, whether orally or by Document, and whether face-to-face, by telephone, mail, electronic mail, personal delivery, facsimile, or otherwise.

3. “Compatible Tobacco Stick” or “Compatible Tobacco Sticks” means all compatible tobacco sticks, and each version thereof, for use with any version of the IQOS[®] System, including but not limited to, IQOS[®] HEETS, Marlboro[™] HeatSticks, Marlboro[™] Fresh Menthol HeatSticks, or Marlboro[™] Smooth Menthol HeatSticks. This definition shall further include any smaller breakdown of parts, if applicable, for all Compatible Tobacco Sticks.

4. “Document” or “Documents” has the broadest meaning consistent with Federal Rule of Civil Procedure 34 and applicable case law, and includes electronically stored information as specified in Federal Rule of Civil Procedure 34. Any draft or non-identical copy is a separate Document within the meaning of this term.

5. “IQOS[®] System” or “IQOS[®] Systems” means the IQOS[®] electric tobacco heating device systems, including the holder, charger, and each version thereof. This definition shall further include any smaller breakdown of parts, if applicable, for the IQOS[®] System.

6. “IQOS[®] Product” or “IQOS[®] Products” means the IQOS[®] System and Compatible Tobacco Sticks, including all versions thereof. This definition shall further include any smaller breakdown of parts, if applicable, for all IQOS[®] Products.

7. “JUUL Device” means the closed system vaporizer made, used, offered for sale, sold, or imported into the United States by or on behalf of JUUL Labs, Inc. (as described further at <https://www.juul.com/learn/device>).

8. “Person” or “Persons” shall mean any natural person, legal entity or any business entity, including but not limited to any proprietorship, firm, partnership, corporation, association,

organization, or other legal entity. The acts of a Person shall include the acts of directors, officers, owners, members, employees, agents, attorneys, or other representatives acting on the Person's behalf.

9. "PM USA" shall mean and refer to Philip Morris USA, Inc., including without limitation all of its corporate locations, and all past or present directors, officers, agents, representatives, employees, consultants, attorneys, entities acting in joint venture, licensing agreements, or partnership relationships with PM USA, and others acting on behalf of PM USA.

10. "PMP" shall mean and refer to Philip Morris Products S.A., including without limitation all of its corporate locations, and all past or present directors, officers, agents, representatives, employees, consultants, attorneys, entities acting in joint venture, licensing agreements, or partnership relationships with PMP, and others acting on behalf of PMP.

11. "Product" or "Products" shall mean a machine, manufacture, apparatus, device, instrument, mechanism, appliance, composition of matter, assemblage of components/parts (either individually or collectively), process, or method which are designed to function together electrically, mechanically, chemically, or otherwise, to achieve a particular function or purpose, including those offered for sale, sold, or under development.

12. "Relate to," "Related to," "Relating to," or "Concerning" shall mean in any way concerning, constituting, comprising, containing, setting forth, summarizing, reflecting, stating, describing, recording, noting, embodying, mentioning, studying, analyzing, evaluating, discussing, contemplating, or referencing a specified subject either directly or indirectly.

13. "The '265 patent" means United States Patent No. 9,814,265.

14. "The '556 patent" means United States Patent No. 10,555,556.

15. "The '911 patent" means United States Patent No. 10,104,911.

16. “VEEV E-Cigarette Product ” or “VEEV E-Cigarette Products” shall mean the e-vapor product platform made by or on behalf of PMP (as described further at <https://www.pmi.com/smoke-free-products/veev-innovating-e-vapor-technology>).

17. “VUSE Product” or “VUSE Products” means (i) the VUSE Vibe™ power unit and associated flavor packs; (ii) the VUSE Alto® power unit and associated flavor packs; (iii) the VUSE Ciro® power unit and associated flavor packs, and/or (iv) VUSE Solo® power unit and associated flavor packs.

INSTRUCTIONS

1. The singular form of a word should be interpreted in the plural as well. Any pronoun shall be construed to refer to the masculine, feminine, or neutral gender as in each case is most appropriate. The words “and” and “or” shall be construed conjunctively or disjunctively, whichever makes the request most inclusive. The word “including” shall be without limitation. The terms “each” and “any” shall mean any and all.

2. These requests call for Documents or things that are known or available to PMP, or in PMP’s possession, custody or control, including all information known or available to PMP’s attorneys, agents, representatives, or any other Person acting or purporting to act on PMP’s behalf or under the direction or control of PMP or PMP’s attorneys, agents, representatives, or investigators.

3. If PMP withholds any Document or thing, or portion thereof, in response to any of the requests set forth below on grounds of privilege or any other claim of immunity from discovery, then for each identification, Document, Communication, or portion thereof withheld, state the following:

- a. the type of Document (e.g., letter, memorandum, contract, etc.);

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