

EXHIBIT 12

**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

**PLAINTIFFS RAI STRATEGIC HOLDINGS, INC. AND R.J. REYNOLDS VAPOR
COMPANY'S SECOND NOTICE OF RULE 30(B)(6) DEPOSITION TO DEFENDANT
PHILIP MORRIS PRODUCTS S.A.**

Please take notice that Plaintiffs RAI Strategic Holdings, Inc. ("RAI") and R.J. Reynolds Vapor Company ("RJR") (collectively, "Reynolds" or "Plaintiffs"), pursuant to Federal Rule of Civil Procedure 30(b)(6), will take the deposition of Defendant Philip Morris Products S.A. ("PMP") through persons designated by PMP to testify on its behalf with respect to the topics listed in Schedule A hereto, at the offices of Jones Day, 51 Louisiana Ave., N.W., Washington, D.C. 20001, beginning on May 6, 2021, at 9:00 a.m. (Eastern) or at a time and place to be agreed upon by the parties and continuing from day to day, excluding weekends, until completed. The deposition shall be upon oral examination before an officer appointed or designated under Federal Rule of Civil Procedure 28, and shall be recorded by audio-visual and stenographic means.

Dated: April 7, 2021

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*Counsel for Plaintiffs RAI Strategic Holdings, Inc.
and R.J. Reynolds Vapor Company*

CERTIFICATE OF SERVICE

I hereby certify that on April 7, 2021, the foregoing was served on counsel for PMP using the following designated email address: pmiedva.lwteam@lw.com.

Dated: April 7, 2021

/s/ David M Maiorana

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**SCHEDULE A TO PLAINTIFFS RAI STRATEGIC HOLDINGS, INC. AND R.J.
REYNOLDS VAPOR COMPANY'S SECOND NOTICE OF RULE 30(B)(6)
DEPOSITION TO DEFENDANT PHILIP MORRIS PRODUCTS S.A.**

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. "Altria Accused Product" or "Altria Accused Products" shall mean any and all electric tobacco heating device systems and the associated tobacco sticks sold for use with the device systems. The tobacco heating device systems and components thereof shall include Defendants' IQOS[®] System Holder and Charger ("IQOS[®] system"). For avoidance of doubt, the holder, charger and all compatible tobacco sticks (such as, but not limited to, IQOS[®] HEETS, Marlboro[™] HeatSticks, Marlboro[™] Fresh Menthol HeatSticks, or Marlboro[™] Smooth Menthol HeatSticks) should be considered components of the respective tobacco heating device systems, and thus are included in the meaning of "Altria Accused Product" or "Altria Accused Products." Components further shall include any smaller breakdown of parts, if applicable, to the IQOS[®] system and associated tobacco sticks.

3. "Altria Asserted Patents" means each and any of United States Patent No. 9,814,265 ("the '265 patent"), United States Patent No. 10,555,556 ("the '556 patent"), United States Patent No. 10,104,911 ("the '911 patent"), United States Patent No. 6,803,545 ("the '545 patent"), and United States Patent No. 10,420,374 ("the '374 patent").

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