

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

**COUNTERCLAIM PLAINTIFFS' CROSS-MOTION FOR FEES AND COSTS**

Pursuant to Federal Rule of Civil Procedure No. 7, Local Rule of Civil Procedure No. 7, the Court's inherent authority, and 28 U.S.C. § 1927, Counterclaim Plaintiffs Altria Client Services LLC, Philip Morris USA Inc., and Philip Morris Products S.A. (collectively, "PMP/Altria") respectfully cross-move for reasonable attorneys' fees and costs for defending against Counterclaim Defendants RAI Strategic Holdings, Inc.'s and R.J. Reynolds Vapor Company's (collectively, "RJR") inequitable conduct claim, including: (1) the portion of PMP/Altria's summary judgment briefing devoted to RJR's inequitable conduct claim (Dkts. 694, 695, 733, 751); and (2) PMP/Altria's opposition to RJR's Motion to Dismiss (Dkts. 716, 720). The grounds for this cross-motion are set forth in the memorandum submitted herewith and accompanying PMP/Altria's Opposition to RJR's Motion to Dismiss. A proposed order is attached.

Counsel for PMP/Altria conferred with counsel for Counterclaim Defendants regarding this issue on June 30, 2021. Counterclaim Defendants stated that they oppose this motion.

Dated: June 30, 2021

Respectfully submitted,

*/s/ Maximilian A. Grant*

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Morris USA Inc., and Philip Morris*

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of June, 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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