

# EXHIBIT 9

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**From:** Michalik, John M. <jmichalik@JonesDay.com>  
**Sent:** Monday, June 14, 2021 4:05 PM  
**To:** #C-M PMIEDVA - LW TEAM  
**Cc:** RJREDVA; Charles Molster  
**Subject:** Case No: 1:20-cv-00393-LO-TCB (motion to dismiss/amend)

Counsel - -

Reynolds intends to file a motion to dismiss its inequitable conduct counterclaim against the '545 patent, as well as its

- inequitable conduct defense as to the '545 patent
- equitable defenses of estoppel, acquiescence, waiver, and unclean hands as to the '911, '556, '265, and '374 patents
- equitable defense of unclean hands as to the '545 patent
- limitation on damages defense as to the '911, '556, and '265 patents
- extraterritorial claims defense for the '911, '556, '265, '545, and '374 patents

Reynolds also will seek leave to amend its responses to PMP's and Altria's infringement counterclaims accordingly. Please confirm Counterclaim-Plaintiffs oppose or otherwise provide your availability to meet and confer this afternoon or tomorrow morning.

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