

EXHIBIT 10

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Transcript of Jeffrey Suhling, Ph.D.

Date: May 28, 2021

Case: RAI Strategic Holdings, Inc. -v- Altria Client Services, LLC, et al.

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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 Alexandria Division

3		x
4	RAI STRATEGIC HOLDINGS, INC.	: Case No.
4	and R.J. REYNOLDS VAPOR	: 1:20 cv 00393 LO TCB
5	COMPANY,	:
5	Plaintiffs and	:
6	Counterclaim Defendants,	:
6	v.	:
7	ALTRIA CLIENT SERVICES LLC;	:
7	PHILIP MORRIS USA INC.; and	:
8	PHILIP MORRIS PRODUCTS S.A.,	:
8	Defendants and	:
9	Counterclaim Plaintiffs.	:
9		x

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13 Videotaped Deposition of
14 JEFFREY C. SUHLING, Ph.D.

15 Conducted Virtually
16 Friday, May 28, 2021

17 9:08 a.m. CST

20 Job No.: 372934

21 Pages: 1 299

22 Reported by: Stephanie A. Battaglia, CSR

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1	fair characterization?	17:46:19
2	A. They are paper designs.	17:46:20
3	Q. Well, what do you mean by that?	17:46:24
4	A. They are on paper and have had some	17:46:26
5	calculations behind them, but they have because of	17:46:32
6	the purpose of them, which was to show a potential	17:46:35
7	non sinuous design that could meet the needs of the	17:46:41
8	product, that was their purpose, [REDACTED]	17:46:45
9	[REDACTED]	17:46:50
10	Q. Can you please turn to Paragraph 9	17:46:54
11	before we leave that just one last question,	17:47:03
12	Dr. Suhling, you haven't offered an opinion in your	17:47:05
13	expert report about how much money it would cost to	17:47:07
14	change the design from an S shaped sinuous line to the	17:47:12
15	alternative designs you have proposed, right?	17:47:16
16	A. No, I haven't given an opinion.	17:47:19
17	I want to say some of the other experts	17:47:21
18	have discussed that. I believe it was Mr. Hunt that I	17:47:26
19	reviewed his deposition where he talked about these	17:47:35
20	designs and discussed what is required to create a new	17:47:37
21	product and get it approved.	17:47:46
22	Q. Yes.	17:47:48

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1	But you yourself have not offered you	17:47:48
2	are not offering an opinion about how much money it	17:47:50
3	would cost to implement your alternative designs,	17:47:54
4	fair?	17:47:57
5	A. That is fair.	17:47:58
6	Q. Let's go to Paragraph 94 of your rebuttal	17:47:58
7	report, I guess 93.	17:48:01
8	Now, this photograph was provided to you	17:48:13
9	by a Smoore engineer, is that correct?	17:48:16
10	A. Sorry, I went to Page 93. Yes.	17:48:20
11	Mr. Liu	17:48:29
12	Q. All right. And you talked to Mr. Liu, I	17:48:32
13	believe, on March 24, correct?	17:48:35
14	A. Yes.	17:48:37
15	Q. It's the same day your report was due?	17:48:39
16	A. Yes, it was very, very early that day to	17:48:42
17	meet their Chinese at the time.	17:48:48
18	Q. And did you ask to speak to Mr. Liu or	17:48:50
19	how did this conversation come about?	17:48:54
20	A. I did ask to speak with Mr. Liu and	17:48:57
21	representative Smoore to ask questions about just	17:49:04
22	to make sure we perfectly understood what was in the	17:49:10

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