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13 Attorneys for SAMSUNG ELECTRONICS CO.,
14 LTD., SAMSUNG ELECTRONICS AMERICA,
15 INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,

19 Plaintiff,

20 vs.

21 SAMSUNG ELECTRONICS CO., LTD., a
Korean business entity; SAMSUNG
22 ELECTRONICS AMERICA, INC., a New
York corporation; SAMSUNG
23 TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,

24 Defendant.

CASE NO. 11-cv-01846-LHK (PSG)

**DECLARATION OF DIANE C.
HUTNYAN IN SUPPORT OF
SAMSUNG'S OPPOSITION TO APPLE'S
MOTION TO STRIKE**

1 I, Diane C. Hutnyan, declare as follows:

2 1. I am a partner in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,
3 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung
4 Telecommunications America, LLC (collectively, "Samsung"). I submit this declaration in
5 support of Samsung's Opposition to Apple's Motion to Strike Portions Of Samsung's Expert
6 Reports. Except as to those facts stated on information and belief, I have personal knowledge of
7 the facts set forth in this declaration and, if called upon as a witness, I could and would testify to
8 such facts under oath.

9 2. Apple first raised the issue of Samsung's responses to its design-related
10 interrogatories in a letter dated March 11, 2012. A true and correct copy of this letter is attached
11 as Exhibit 1 to the Declaration of Joby Martin In Support of Samsung's Opposition to Apple's
12 Motion to Strike. In this letter, Apple states its belief that Samsung's responses to Apple's design-
13 related contention interrogatories are deficient and demands that Samsung supplement those
14 responses by March 13, 2012.

15 3. Following Apple's March 11 letter, the parties held an in-person meet and confer on
16 March 14, 2012. Michael Jacobs, Marc Pernick, Allison Tucher, Mia Mazza, Jason Bartlett and
17 Nathan Sabri attended the meeting on behalf of Apple, with Calvin Walden and Peter Kolovos
18 participating via teleconference.

19 4. At the meeting, which I attended, counsel for Apple reiterated its position that
20 Samsung had not responded to Apple's design-related interrogatories in sufficient detail. Counsel
21 for Apple threatened motion practice unless Samsung committed to supplement its responses to
22 numerous interrogatories, including the design-related interrogatories discussed in Apple's Motion
23 to Strike Portions Of Samsung's Expert Reports.

24 5. Counsel for Samsung stated that it would supplement its interrogatory responses as
25 quickly as was necessary to avoid burdening the Court with motion practice. Counsel for
26 Samsung stated that it would serve supplemental responses on March 19, 2012 if Apple agreed not
27 to pursue motion practice.

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