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Attorneys for Plaintiff and
Counterclaim-Defendant APPLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

v.

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

Defendants.

Case No. 11-cv-01846-LHK (PSG)

**DECLARATION OF RUSSELL S.
WINER IN SUPPORT OF APPLE'S
OPPOSITION TO SAMSUNG'S
MOTION FOR SUMMARY
JUDGMENT**

1 I, RUSSELL S. WINER, do hereby declare as follows:

2 1. My name is Russell S. Winer. I previously submitted an expert report in this
3 matter on March 22, 2012.

4 2. I am the William Joyce Professor of Marketing and the Chair of the Marketing
5 Department at the Stern School of Business, New York University. I have been on the faculty of
6 the Stern School of Business since 2003.

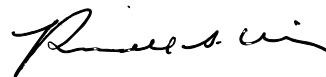
7 3. I received a B.A. in Economics from Union College and an M.S. and Ph.D. in
8 Industrial Administration from Carnegie Mellon University.

9 4. My research, teaching, and consulting work has mainly been focused on consumer
10 choice, marketing research methodology, marketing planning, advertising, and pricing. I have
11 authored over 60 papers and published in top marketing and management journals such as
12 *Journal of Marketing Research, Marketing Science, Management Science, and Journal of*
13 *Consumer Research.*

14 5. My full qualifications are set forth in my March 22, 2012 Expert Report, a true and
15 correct copy of which is attached hereto as Exhibit 1.

16 6. My opinions are accurately set forth in my March 22, 2012 Expert Report. *See Ex.*
17 *1.*

18
19 I declare under penalty of perjury that the foregoing, including the statements in my
20 Expert Report, is true and correct to the best of my knowledge and that this Declaration was
21 executed on May 30, 2012, at New York, New York.

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25 RUSSELL S. WINER
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