

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Charles K. Verhoeven (Bar No. 170151)

2 charlesverhoeven@quinnemanuel.com

50 California Street, 22nd Floor

3 San Francisco, California 94111

Telephone: (415) 875-6600

4 Facsimile: (415) 875-6700

5 Kevin P.B. Johnson (Bar No. 177129)

kevinjohnson@quinnemanuel.com

6 Victoria F. Maroulis (Bar No. 202603)

victoriamaroulis@quinnemanuel.com

7 555 Twin Dolphin Drive, 5th Floor

Redwood Shores, California 94065-2139

8 Telephone: (650) 801-5000

Facsimile: (650) 801-5100

9 Michael T. Zeller (Bar No. 196417)

michaelzeller@quinnemanuel.com

10 865 S. Figueroa St., 10th Floor

11 Los Angeles, California 90017

Telephone: (213) 443-3000

12 Facsimile: (213) 443-3100

13 Attorneys for SAMSUNG ELECTRONICS CO.,

LTD., SAMSUNG ELECTRONICS AMERICA,

14 INC. and SAMSUNG

TELECOMMUNICATIONS AMERICA, LLC

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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,

24 LLC, a Delaware limited liability company,

25 Defendant.

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CASE NO. 11-cv-01846-LHK

DECLARATION OF DIANE C. HUTNYAN IN SUPPORT OF SAMSUNG'S OPPOSITION TO NOTICE OF MOTION FOR CLARIFICATION OF APRIL 12 ORDER

Date: June 21, 2012

Time: 10:00 a.m.

Place: Courtroom 5, 4th Floor

Judge: Hon. Paul S. Grewal

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 For Clarification of April 12 Order. I have
6 personal knowledge of the facts set forth in this declaration and, if called upon as a witness, I
7 could and would testify to such facts under oath.

8 2. Samsung first requested the documents sought under Part B.2. of the April 12
9 Order last fall. At that time, Apple raised concerns about confidential business information within
10 the requested production. Samsung repeatedly requested that Apple identify any and all relevant
11 third parties, and Apple provided the names of five companies. Samsung was able to obtain the
12 necessary authorizations from all but one of the companies. The fifth entity had requested more
13 information from Apple, which was not forthcoming until after the April 12 order. Apple reported
14 it was able to obtain the necessary authorization from that entity just a couple of days after it
15 contacted that entity requesting consent in late April.

16 3. Since Apple filed its "Supplemental Statement of Additional Facts Regarding
17 Motion for Clarification" on May 9, 2012, Apple does not appear to have taken further action to
18 comply with the April 12 Order. Attached hereto as Exhibit A is a true and correct copy of the
19 May 25, 2012 letter from me to Mia Mazza, counsel for Apple, asking for information regarding
20 Apple's attempts to comply with the April 12 Order. Apple has not responded to this letter.

21 4. Attached hereto as Exhibit B is a true and correct copy of the May 9, 2012 email
22 from Jason Bartlett, counsel for Apple, to me in which Apple stated that Samsung should "explain,
23 with specific citations to transcript pages why Samsung believes it is entitled to take these
24 depositions."

25 5. Attached hereto as Exhibit C is a true and correct copy of the April 24, 2012 letter
26 from Ms. Mazza to me stating that Apple "did not "see any [deposition transcripts] that warrant
27 recalling a witness for deposition."
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6. Attached hereto as Exhibit D is a true and correct copy of the April 25, 2012 letter from Ms. Mazza to me stating that Apple would only produce witnesses necessary to mitigate the prejudice to Samsung.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on the 5th of June, 2012, in Los Angeles, California.

/s/ Diane C. Hutnyan
Diane C. Hutnyan

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GENERAL ORDER ATTESTATION

I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to file the foregoing Declaration. In compliance with General Order 45 (X)(B), I hereby attest that Diane C. Hutnyan has concurred in this filing.

DATE: June 5, 2012

/s/ Victoria F. Maroulis
Victoria F. Maroulis