

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

REPLY DECLARATION OF DIANE C.

HUTNYAN IN SUPPORT OF

SAMSUNG'S MOTION TO ENFORCE

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

8 2. Apple did not complete its production of deposition transcripts on April 21, 2012.
9 It has continued to produce deposition transcripts well into the month of June. For example,
10 Apple produced five Apple employee deposition transcripts on May 31, 2012 and June 7, 2012.

11 3. Apple did not deem the deposition transcripts from the 796 Investigation produced
12 until April 15, 2012. Attached hereto as Exhibit A is a true and correct copy of the April 15, 2012
13 letter from Mia Mazza to me regarding the production of deposition transcripts. Apple withheld
14 the rest of the other transcripts it produced in response to the April 12 Order until at least April 17,
15 the day after Samsung's rebuttal expert reports were due.

16 4. On April 22, 2012, counsel for Apple sent a letter "advis[ing] Samsung that it has
17 completed its production of deposition transcripts pursuant to Part B.1 of the Court's April 12,
18 2012 Order." Apple then stated that the production pursuant to the Court Order included
19 transcripts of Apple employee depositions in multiple cases including the Nokia ITC 701
20 Investigation, the HTC ITC 710 Investigation, and the QRG litigation in Maryland. Attached
21 hereto as Exhibit B is a true and correct copy of the April 22, 2012 letter from Ms. Mazza to me.

22 5. On June 11, 2012, Ms. Mazza sent a letter to me which indicated that Apple had
23 not yet completed its production of all related materials. Attached hereto as Exhibit C is a true and
24 correct copy of the June 11, 2012 letter from Ms. Mazza to me.

25 6. Samsung has requested additional related materials from Apple which have not yet
26 been produced. Attached hereto as Exhibit D is a true and correct copy of the June 12, 2012 letter
27 from me to Ms. Mazza.

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7. On April 22, 2012, Ms. Mazza sent a letter to me asking Samsung to "identify in writing, no later than 9 a.m. on Tuesday, April 24, each nonpublic item in each case that Samsung wishes to receive under Part B.2 of the April 12 Order." Attached hereto as Exhibit E is a true and correct copy of the April 22, 2012 letter from Ms. Mazza to me.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on the 12th of June, 2012, in Los Angeles, California.

/s/ Diane C. Hutnyan
Diane C. Hutnyan

