

EXHIBIT 5

Alex Hu

From: Mazza, Mia [MMazza@mofo.com]
Sent: Sunday, April 15, 2012 5:55 PM
To: Diane Hutnyan
Cc: AppleMoFo; Samsung v. Apple; WHAppleSamsungNDCalService@wilmerhale.com
Subject: RE: Apple v. Samsung Proposal Regarding 796 Transcripts
Attachments: 2012-04-15 Ltr Mazza to Hutnyan re 796 transcripts.pdf

Diane:

In light of Judge Grewal's April 12, 2012, Order, Apple agrees that all transcripts of depositions taken in *Certain Electronic Digital Media Devices and Components Thereof*, ITC Inv. No. 337-TA-796 ("ITC 796") are deemed produced in *Apple v. Samsung*, Case No. 11-cv-1846-LHK (PSG) (N.D. Cal.) (the "N.D. Cal. case").

Apple reserves its right to challenge admissibility of ITC 796 transcripts in the N.D. Cal. case.

Regards,

Mia Mazza
Morrison & Foerster LLP
San Francisco
(415) 268-6024 office
(415) 216-5835 mobile
(415) 268-7522 fax

From: Diane Hutnyan [mailto:dianehutnyan@quinnemanuel.com]
Sent: Friday, April 13, 2012 3:36 PM
To: Mazza, Mia
Cc: Samsung v. Apple; WHAppleSamsungNDCalService@wilmerhale.com; AppleMoFo
Subject: Apple v. Samsung Proposal Regarding 796 Transcripts

Dear Mia,

In light of the Court's ruling that 796 deposition transcripts are relevant and must be produced, and given that rebuttal expert reports are due on Monday, will Apple agree that the 796 deposition transcripts are immediately deemed produced in this action? This would prevent both sides from having to do supplemental reports and an additional round of expert depositions when the materials are produced later this month. Please let us know today.

Thank you.

Diane Cafferata Hutnyan | partner | quinn emanuel urquhart & sullivan, llp

865 South Figueroa Street, 10th Floor
Los Angeles, CA 90017
Direct: (213) 443-3666
Main Phone: (213) 443-3000
Main Fax: (213) 443-3100
E-mail: dianehutnyan@quinnemanuel.com
Web: www.quinnemanuel.com

Linked In: <http://www.linkedin.com/in/dianehutnyan>



The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and/or work product and as such is privileged and confidential. If the reader of this message is not the intended recipient or agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.

To ensure compliance with requirements imposed by the IRS, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S. Federal tax issues is contained in this communication (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

For information about this legend, go to <http://www.mofo.com/Circular230/>

=====
This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail @mofo.com, and delete the message.
