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 11 Attorneys for Plaintiff and  
 Counterclaim-Defendant APPLE INC.

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 14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN JOSE DIVISION

17 APPLE INC.,  
 18 Plaintiff,  
 19 v.  
 20 SAMSUNG ELECTRONICS CO., LTD., a  
 Korean business entity; SAMSUNG  
 21 ELECTRONICS AMERICA, INC., a New York  
 corporation; SAMSUNG  
 22 TELECOMMUNICATIONS AMERICA, LLC, a  
 Delaware limited liability company,  
 23 Defendants.  
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Case No. 11-cv-01846-LHK (PSG)  
**DECLARATION OF  
 NATHAN SABRI IN SUPPORT OF  
 APPLE'S MOTION FOR LEAVE  
 TO FILE SUPPLEMENTAL  
 RESPONSE RE ARGUMENTS  
 MADE AT JUNE 21 HEARING**

1 I, NATHAN SABRI, declare as follows:

2 1. I am an attorney with the law firm of Morrison & Foerster LLP, counsel for Apple  
3 Inc. (“Apple”). I am licensed to practice law in the State of California. I have personal  
4 knowledge of the matters stated herein or understand them to be true from members of my  
5 litigation team. I make this declaration in support of Apple’s Supplemental Response re  
6 Arguments Made at June 21 Hearing.

7 2. Attached as **Exhibit A** is a true and correct index of all transcript excerpts and  
8 transcripts produced by Apple to Samsung after April 27, 2012. Except for three transcripts  
9 discussed below, Apple produced all of these transcript excerpts and transcripts because they  
10 were part of court documents filed in related proceedings. Several transcripts produced were  
11 taken in a case which does *not* have a technological nexus. They were produced only because  
12 they were made part of court documents in cases having a technological nexus.

13 3. On the morning of April 13, my colleague forwarded to counsel for Apple in the  
14 related matters a copy of the April 12 Order and requested that they produce “the deposition  
15 transcripts of *all* Apple employees.” Apple promptly produced all of the transcripts that had not  
16 been produced earlier in the litigation upon receipt from Apple’s counsel in the related matters,  
17 including transcripts received from counsel in the *Motorola* matter the same day.

18 4. On May 25, 2012, Samsung’s counsel in this action, which also represents  
19 Motorola in the ongoing litigation between Apple and Motorola, noted that Apple’s production of  
20 transcripts did not include transcripts from after March 27, 2012. My colleague immediately  
21 contacted counsel for Apple in the related matters again to ask whether any new deposition  
22 transcripts had come in. Three transcripts taken in the ongoing Motorola litigation and prepared  
23 no earlier than three days before the April 12 Order—April 9, 2012 (Nima Parivar); April 10,  
24 2012 (William Stewart); and April 11, 2012 (Greg Novick)—were provided in response. Due to  
25 the proximity of these three depositions to the date of the April 12 Order, these transcripts were  
26 not among the transcripts provided to us on April 13.

27 5. Attached as **Exhibit B** are true and correct copies of cover pages and court  
28 reporter signature pages from these three transcripts.

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I declare under penalty of perjury that the foregoing is true and correct. Executed this  
22nd day of June, 2012 at San Francisco, California.

/s/ Nathan Sabri  
Nathan Sabri

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**ATTESTATION OF E-FILED SIGNATURE**

I, Michael A. Jacobs, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Nathan Sabri has concurred in this filing.

Dated: June 22, 2012

/s/ Michael A. Jacobs  
Michael A. Jacobs