

EXHIBIT A

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10 Attorneys for Plaintiff and
Counterclaim-Defendant APPLE INC.

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15
16 APPLE INC., a California corporation,

17 Plaintiff,

18 v.

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

22 Defendants.
23

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

**APPLE'S STATEMENT
REGARDING JULY 18, 2012
PRETRIAL CONFERENCE**

1 During the July 18, 2012 Pretrial Conference, counsel for Samsung said that it currently
2 had pending before the Court a motion for relief from Judge Grewal's May 4, 2012 Order
3 Granting Apple's Motion for 37(b)(2) Sanctions Re December 22 Discovery Order (Dkt.
4 No. 898). Apple disagrees and believes that the Conditional Motion for Relief from
5 Nondispositive Pretrial Order of Magistrate Judge ("Conditional Motion") Samsung filed on
6 May 18, 2012, was deemed denied no later than July 3, 2012, and Samsung never sought relief
7 from Judge Grewal's June 19, 2012 Order Clarifying May 4, 2012 Order (Dkt. No. 1106)
8 ("Clarification Order"), which provided Samsung the clarification it sought.

9 Under Civil Local Rule 72-2, Samsung's Conditional Motion would have been deemed
10 denied on June 1, 2012 because the Court did not issue a separate order denying that motion or
11 setting a briefing schedule. To the extent that the 14 day period was tolled until Judge Grewal
12 issued his Clarification Order, Samsung's Conditional Motion would have been deemed denied
13 on July 3, 2012. Samsung could have filed a subsequent motion for relief after receiving Judge
14 Grewal's Clarification Order, but under Federal Rule of Civil Procedure 72(a), the deadline for
15 that motion was July 3, 2012. No such motion was filed.

16 For these reasons, Samsung is incorrect that there is a pending motion for relief from
17 Judge Grewal's May 4th or June 19th orders.

18 Dated: July _____, 2012

MORRISON & FOERSTER LLP

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21 By: _____
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23 APPLE INC.
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