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15 Attorneys for Plaintiff
APPLE INC.

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN JOSE DIVISION

20 APPLE INC.,
21 Plaintiff,
22 v.
23 SAMSUNG ELECTRONICS CO., LTD., a
Korean corporation; SAMSUNG
24 ELECTRONICS AMERICA, INC., a New
York corporation; and SAMSUNG
25 TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,
26 Defendants.

Case No.: C-11-01846 (LHK)

DECLARATION OF JAMES A. SHIMOTA IN SUPPORT OF THE OPPOSITION TO DEFENDANTS' MOTION TO DISQUALIFY BRIDGES & MAVRAKAKIS, LLP

Date: August 24, 2011
Time: 2:00 p.m.
Place: Courtroom 8, 4th Floor

Honorable Lucy H. Koh

1 I, JAMES A. SHIMOTA, declare as follows:

2 1. I am a partner in the law firm Bridges & Mavrakakis, LLP, counsel of record for
3 plaintiff Apple Inc. (“Apple”) in the above-captioned action. I have been an intellectual property
4 litigator for more than eleven years, concentrating my practice on patent and technology litigation.
5 The facts set forth in this declaration are personally known to me to be true, except as to matters
6 that are stated on information and belief and, as to those matters, I believe them to be true. If
7 called upon to testify about the matters contained in this declaration, I could and would
8 competently testify thereto.

9 2. This declaration is submitted in support of Apple’s Opposition to the Motion to
10 Disqualify the Bridges & Mavrakakis, LLP firm as counsel for plaintiff in this action filed on July
11 11, 2011 by defendants Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., and
12 Samsung Telecommunications America, LLC (collectively “Samsung”).

13 3. I joined the Chicago Office of the Bridges & Mavrakakis, LLP law firm (the
14 “Bridges Firm”) in February 2011. Prior to that time, I was an associate and then a partner with
15 the law firm Kirkland & Ellis LLP working in their Chicago Office (September 2000 to January
16 2011).

17 4. At Kirkland & Ellis, I worked on the International Trade Commission investigation
18 *Wireless Communication Devices, Components Thereof, and Products Containing Same*, No. 337-
19 TA-583 (the “583 Investigation”). The public record shows that the 583 Investigation involved
20 claims that Samsung’s wireless mobile telephone devices infringed patents held by plaintiffs
21 Ericsson Inc., Telefonaktiebolaget LM Ericsson, Sony Ericsson Mobile Communications AB and
22 Sony Ericsson Mobile Communications (USA), Inc. I was not substantively involved with
23 *Wireless Communication Equipment, Articles Therein, and Products Containing the Same*, No.
24 337-TA-577 (the “577 Investigation”), but had very limited interactions with attorneys working on
25 the 577 Investigation. I also did work for Samsung in connection with the *Dicam Inc. v. United*
26 *States Cellular Corporation* litigation beginning in 2008 and ending in the first or second quarter
27 of 2009. During approximately one week in January or February 2010, I had a very limited role in
28 the discovery phase of the *Samsung v. Spansion* ITC litigation.

1 5. I performed work for Apple while at Kirkland & Ellis, and I continued working for
2 Apple after I joined the Bridges Firm in 2011.

3 6. I have performed work in connection with the *Apple v. Samsung* matter (Case No.
4 C-11-01846 (LHK)). I have not performed any work in connection with the case filed by
5 Samsung against Apple on April 27, 2011 (*Samsung Electronic Co. Ltd., et al. v. Apple Inc.*,
6 United States District Court, Northern District of California, Case No. C-11-02079). I work only
7 on Apple's affirmative case against Samsung, and have no role in connection with the
8 counterclaims Samsung is now asserting against Apple in this litigation.

9 7. While at the Bridges Firm, I have had no communications with Apple's litigation
10 counsel at Wilmer Cutler Pickering Hale and Dorr LLP ("WilmerHale") regarding litigation with
11 Samsung.

12 8. In the course of my work for Apple, I have never used any of the Samsung
13 confidential information I acquired during my representation of Samsung and, given the nature of
14 my work for Samsung, none of that information would have been of any use to me. I have not
15 provided any Samsung confidential information to Apple or to anyone representing Apple,
16 including any attorneys, paralegals or staff affiliated with either the WilmerHale or the Morrison
17 & Foerster LLP law firms.

18 9. Any and all information that is confidential to Samsung and known to myself as a
19 result of my prior representation of and work for Samsung will continue to be maintained by me in
20 the future in a confidential manner. I will not disclose to Apple or to any other third party and
21 Samsung confidential information.

22 I declare under penalty of perjury, under the laws of the United States of America, that the
23 foregoing is true and correct. Executed this 1st day of August, 2011, at Chicago, Illinois.

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/s/ James A. Shimota
JAMES A. SHIMOTA

