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Samsung Electronics America, Inc., and Samsung
14 Telecommunications America, LLC

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

17 APPLE INC., a California corporation,

18 Plaintiff,

19 vs.

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

24 Defendants.
25

CASE NO. 11-cv-01846-LHK

**DECLARATION OF BRETT J. ARNOLD
IN SUPPORT OF SAMSUNG'S MOTION
FOR RECONSIDERATION AND OFFER
OF PROOF**

1 I, Brett Arnold, declare:

2 1. I am an attorney 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 make this declaration in
5 connection with Samsung's Motion for Reconsideration and Offer of Proof, filed herewith. I
6 have personal knowledge of the facts set forth in this declaration except where noted and, if called
7 upon as a witness, I could and would testify to such facts under oath.

8 2. Samsung has submitted a series of demonstrative exhibits that it sought to use in
9 connection with its opening statements in the jury trial set to begin in this matter on July 30, 2012.

10 3. The documents underlying demonstrative nos. 11-19 were produced to Apple on
11 February 3, 2012. Demonstrative nos. 11-19 are based on information contained in trial exhibits
12 522, 566, 596, and 625.

13 4. The custodian of these files is a Samsung employee, Hyoung Shin Park.

14 5. Samsung presently intends to call Ms. Park to testify at trial in this action. Ms.
15 Park was deposed in this case on February 29, 2012, and again in ITC Investigation No. 337-TA-
16 796 on March 1, 2012, for approximately ten total hours on the record.

17 6. In early September 2011, Samsung identified Ms. Park to Apple in its Initial
18 Disclosures as a Samsung designer that worked on the F700 project.

19 7. I have reviewed the references depicted in Samsung's demonstrative no. 10, as well
20 as the trial exhibit upon which demonstrative no. 10 is based. Images of the Merit, Card3, and
21 Flipper are included in trial exhibit 596, which was produced in this action on February 3, 2012.
22 Images of the Vessel, Wrap, and Frammer models were also produced on February 3, 2012 as part
23 of what has been designated as trial exhibit 522.

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