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

17 APPLE INC., a California corporation,  
 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.  
 24

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

**JOINT STIPULATION AND  
 [PROPOSED] ORDER  
 REGARDING UPDATED  
 DAMAGES OPINIONS AND  
 EXHIBITS**

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1           WHEREAS on Wednesday evening, July 25, 2012, Apple and Samsung by agreement  
2 exchanged documents reflecting financial results updated for periods between April and  
3 June 2012 (referred to as “Updated Financial Results”).

4           WHEREAS Apple and Samsung by agreement exchanged damages calculations revised to  
5 reflect the Updated Financial Results in the afternoon and evening of July 28, 2012.

6           WHEREAS Apple and Samsung by agreement exchanged updated plaintiff’s and  
7 defendant’s exhibits that incorporate the Updated Financial Results in the afternoon and evening  
8 of July 28, 2012.

9           WHEREAS the Updated Financial Results are relevant to claims for monetary relief at  
10 trial.

11           WHEREAS after May 12, 2012, actions of the parties and orders entered by the Court  
12 have changed the intellectual property being asserted and the products being accused (referred to  
13 as “Changes to the Intellectual Property Claims”).

14           WHEREAS the materials exchanged on July 28 were revised to reflect the Changes to the  
15 Intellectual Property Claims.

16 NOW THEREFORE the parties stipulate as follows:

- 17       1. Neither party will object to the opinions of the opposing party’s damages expert because it  
18       includes the Updated Financial Results or the Changes to the Intellectual Property Claims.
- 19       2. The parties agree that the sponsoring party may substitute the following plaintiff’s and  
20       defendants’ trial exhibits, updated to reflect the Updated Financial Results or Changes to  
21       the Intellectual Property Claims, as exchanged on or since Wednesday, July 25, 2012:  
22       PX25, PX102, PX103, PX180, PX181, DX676, DX703, DX704, DX781. Neither party  
23       will object to the updated versions on the ground that they include Updated Financial  
24       Results or Changes to the Intellectual Property Claims.
- 25       3. All other objections to the content of the experts’ opinions and the admission of exhibits  
26       are preserved. By this stipulation, neither party agrees to the admission of the exhibits  
27       identified in paragraph 2.

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Dated: July 30, 2012

MORRISON & FOERSTER LLP

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**[PROPOSED] ORDER**

Based on the foregoing stipulation,

IT IS SO ORDERED.

Dated: July \_\_\_\_\_, 2012

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HONORABLE LUCY H. KOH  
United States District Judge