



1 2 3 4	PX3, PX4	Overruled. Mr. Stringer is an industrial designer and may be competent to testify regarding trends that he observed in the design of publically available phones. Moreover, although PX3 and PX4 present only a selection of Samsung phones, both exhibits are probative of Apple's copying allegations. The risk of unfair prejudice of PX3 and PX4 does not substantially outweigh their probative value, therefore they are admissible.
5 6 7	PX157	Sustained. PX157 is inadmissible hearsay. It does not qualify for the public record exception to the hearsay rule because it is not produced by a public office nor does it set out that office's activities as required by Rule 803(8). Moreover, Apple's proposed non-hearsay use is still hearsay: "illustrat[ing] Mr. Stringer's testimony" is still using the exhibit for the truth of the matter asserted, namely that Apple won a design award.
8	PX162, PX164	Overruled. The CAD drawings shown in PX162 and PX164 were produced in July 2011, and were therefore made available in a timely manner.

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10 **IT IS SO ORDERED.**

11 Dated: July 30, 2012



12 LUCY H. KOH  
13 United States District Judge  
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