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15 Attorneys for Plaintiff  
16 APPLE INC.

17 UNITED STATES DISTRICT COURT  
18 NORTHERN DISTRICT OF CALIFORNIA  
19 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)

**APPLE INC.'S ADMINISTRATIVE  
MOTION FOR LEAVE TO FILE SUR-  
REPLY IN OPPOSITION TO  
SAMSUNG'S MOTION TO DISQUALIFY  
BRIDGES & MAVRAKAKIS LLP**

Date: August 24, 2011  
Time: 2:00 p.m.  
Place: Courtroom 4, 5th Floor

Honorable Lucy H. Koh

1 Pursuant to Local Civil Rules 7-11(a) and 7-3(d), Plaintiff Apple Inc. respectfully moves  
2 for leave of Court to file a sur-reply to address new authority from the Northern District of  
3 California that defendants Samsung Electronics Co., Ltd, Samsung Electronics America, Inc, and  
4 Samsung Telecommunications America, LLC (“Samsung”) rely upon in their Reply in Support of  
5 Samsung’s Motion to Disqualify Bridges & Mavrakakis LLP (“Reply”). Attached hereto as  
6 Exhibit 1 is Apple’s proposed Sur-Reply to the Reply (“Apple’s Sur-Reply”). The Declaration of  
7 Joshua R. Benson in Support of Apple Inc.’s Motion for Leave to File Sur-Reply in Opposition to  
8 Samsung’s Motion to Disqualify Bridges & Mavrakakis LLP is filed concurrently herewith.

9 In its Reply, Samsung cites and relies upon the decision in *Oliver v. SD-3C*, Case No.  
10 C-11-01260 (N.D. Cal Aug. 4, 2011) to support its Motion for Disqualification. The *Oliver*  
11 decision was issued on August 4, 2011, after Apple filed its Opposition to the Motion to  
12 Disqualify on August 1, 2011, and consequently Apple has not had an opportunity to brief or  
13 argue the decision.

14 Good cause therefore exists to grant Apple’s request. *See, e.g., Landmark Screens, LLC v.*  
15 *Morgan, Lewis & Bockius*, No. 08-cv-2581 (JF), 2010 WL 3629816 at \*2 (N.D. Cal. Sept. 14,  
16 2010) (sur-reply permitted where authority cited for first time in reply papers); *Altavion, Inc. v.*  
17 *Konica-Monolta Sys. Lab., Inc.*, No. 07-cv-6358 (MHP), 2008 WL 2020593 at \*1 n.1 (N.D. Cal.  
18 May 8, 2008) (sur-reply permitted where reply papers “relied upon cases which had not been  
19 previously cited”); *Sharper Image Corp. v. Consumers Union of U.S., Inc.*, No 03-4094 (MMC)  
20 2004 WL 2713064 (N.D. Cal. Feb 23, 2004) at \*1 (similar).

21 Apple has contacted counsel for Samsung and they have stipulated to Apple’s request to  
22 file a sur-reply, as reflected in Stipulation and [Proposed] Order Granting Apple Inc. Leave to File  
23 Sur-Reply in Opposition to Samsung’s Motion to Disqualify Bridges & Mavrakakis, LLP, filed  
24 August 16, 2011.

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For the foregoing reasons, Apple respectfully requests that the Court grant leave to file the sur-reply attached hereto as Exhibit 1.

Dated: August 16, 2011

Respectfully submitted,  
TAYLOR & COMPANY LAW OFFICES, LLP

By: Joshua R. Benson  
Joshua R. Benson  
Attorneys for Plaintiff APPLE INC.