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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)

**DECLARATION OF JOSHUA R.
BENSON IN SUPPORT OF APPLE INC.'S
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 I, JOSHUA R. BENSON, declare as follows:

2 1. I am an attorney with Taylor & Company Law Offices, LLP, and counsel for
3 plaintiff Apple Inc. (“Apple”) in connection with the above-captioned action. I am licensed to
4 practice law in the State of California, and I respectfully submit this Declaration in Support of
5 Apple Inc.’s Administrative Motion for Leave to File Sur-Reply in Opposition to Samsung’s
6 Motion to Disqualify Bridges & Mavrakakis LLP. I have personal knowledge of the facts set forth
7 in this declaration, and if called as a witness I could and would testify competently thereto.

8 2. Local Civil Rule 7-3(d) provides that once a reply is filed, no additional
9 memoranda, papers or letters may be filed without prior Court approval.

10 3. On August 16, 2011, I emailed counsel for defendants Samsung Electronics Co.,
11 Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC
12 (collectively “Samsung”), to request that Samsung stipulate to allow Apple to file a short sur-reply
13 to Samsung’s Motion to Disqualify Bridges and Mavrakakis, LLP. I stated that Apple’s proposed
14 sur-reply was necessary to address new authority from the Northern District of California, *Oliver*
15 *v. SD-3C*, Case No. C-11-01260 (N.D. Cal Aug. 4, 2011), which Samsung cited in its Reply in
16 Support of its Motion to Disqualify, and which Apple has not had an opportunity to address.

17 5. As set forth in the Stipulation and [Proposed] Order Granting Apple Inc. Leave to
18 File Sur-Reply in Opposition to Samsung’s Motion to Disqualify Bridges & Mavrakakis, LLP,
19 filed on August 16, 2011, the parties have agreed, by and through their counsel and subject to
20 Court approval, that Apple may file a five-page sur-reply to Samsung’s Motion to Disqualify.

21 6: I declare under penalty of perjury, under the laws of the United States of America,
22 that the foregoing is true and correct. Executed this 16th day of August, 2011, in San Francisco,
23 California.

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Joshua R. Benson
JOSHUA R. BENSON