

1 HAROLD J. MCELHINNY (CA SBN 66781)
 hmcclhinny@mofo.com
 2 MICHAEL A. JACOBS (CA SBN 111664)
 mjacobs@mofo.com
 3 RACHEL KREVANS (CA SBN 116421)
 rkrevans@mofo.com
 4 JENNIFER LEE TAYLOR (CA SBN 161368)
 jtaylor@mofo.com
 5 ALISON M. TUCHER (CA SBN 171363)
 atucher@mofo.com
 6 RICHARD S.J. HUNG (CA SBN 197425)
 rhung@mofo.com
 7 JASON R. BARTLETT (CA SBN 214530)
 jasonbartlett@mofo.com
 8 MORRISON & FOERSTER LLP
 425 Market Street
 9 San Francisco, California 94105-2482
 Telephone: (415) 268-7000
 10 Facsimile: (415) 268-7522

QUINN EMANUEL URQUHART &
 SULLIVAN, LLP
 Charles K. Verhoeven (Cal. Bar No. 170151)
 50 California Street, 22nd Floor
 San Francisco, California 94111
 Telephone: (415) 875-6600
 Facsimile: (415) 875-6700
 Kevin P.B. Johnson (Cal. Bar No. 177129)
 Victoria F. Maroulis (Cal. Bar No. 202603)
 555 Twin Dolphin Drive 5th Floor
 Redwood Shores, California 94065
 Telephone: (650) 801-5000
 Facsimile: (650) 801-5100
 Michael T. Zeller (Cal. Bar No. 196417)
 865 S. Figueroa St., 10th Floor
 Los Angeles, California 90017
 Telephone: (213) 443-3000
 Facsimile: (213) 443-3100

11 Attorneys for Plaintiff and
 12 Counterclaim-Defendant APPLE INC

Attorneys for SAMSUNG ELECTRONICS CO.,
 LTD., SAMSUNG ELECTRONICS AMERICA,
 INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC

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**

1 *Additional attorneys for Plaintiff and*
2 *Counterclaim-Defendant APPLE INC.*

3 WILLIAM F. LEE
4 william.lee@wilmerhale.com
5 WILMER CUTLER PICKERING
6 HALE AND DORR LLP
7 60 State Street
8 Boston, MA 02109
9 Telephone: (617) 526-6000
10 Facsimile: (617) 526-5000

11 MARK D. SELWYN (SBN 244180)
12 mark.selwyn@wilmerhale.com
13 WILMER CUTLER PICKERING
14 HALE AND DORR LLP
15 950 Page Mill Road
16 Palo Alto, California 94304
17 Telephone: (650) 858-6000
18 Facsimile: (650) 858-6100
19
20
21
22
23
24
25
26
27
28

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.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: July 30, 2012

MORRISON & FOERSTER LLP

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: /s/ Michael A. Jacobs
HAROLD J. MCELHINNY
MICHAEL A. JACOBS
JENNIFER LEE TAYLOR
ALISON M. TUCHER
RICHARD S.J. HUNG
JASON R. BARTLETT

By: /s/ Victoria F. Maroulis
CHARLES K. VERHOEVEN
KEVIN P.B. JOHNSON
VICTORIA F. MAROULIS
EDWARD DEFRANCO
MICHAEL T. ZELLER

WILLIAM F. LEE
MARK D. SELWYN

Attorneys for APPLE INC.

Attorneys for SAMSUNG ELECTRONICS
CO. LTD, SAMSUNG ELECTRONICS
AMERICA, INC., AND SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC.


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~PROPOSED~~ ORDER

Based on the foregoing stipulation,

IT IS SO ORDERED.

Dated: August 2, 2012



HONORABLE LUCY H. KOH
United States District Judge