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15 Attorneys for Non-Party,
 16 QUALCOMM INCORPORATED

17 UNITED STATES DISTRICT COURT,
 18 NORTHERN DISTRICT OF CALIFORNIA
 19 SAN JOSE DIVISION

20 APPLE INC., a California corporation,,
 21

22 Plaintiffs,
 23

24 vs.

25 SAMSUNG ELECTRONICS CO., LTD., a
 26 Korean corporation; SAMSUNG
 27 ELECTRONICS AMERICA, INC., a New
 28 York corporation; and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC,
 a Delaware limited liability company,

Defendants.

Case No. 11-CV-01846-LHK

**DECLARATION OF DAVID A.
 KAYS IN SUPPORT OF NON-
 PARTY QUALCOMM
 INCORPORATED'S MOTION FOR
 LEAVE TO FILE REPLY TO
 REUTERS AMERICA LLC'S
 OPPOSITION TO MOTIONS TO
 SEAL TRIAL AND PRETRIAL
 EVIDENCE**

I, David A. Kays, hereby declare:

1. I am an attorney with the law firm of Morgan Franich Fredkin & Marsh, counsel for Non-Party Qualcomm Incorporated ("Qualcomm"). I make this declaration in connection with Qualcomm's Motion for Leave to File a Reply to Reuters America

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LLC’s Opposition to Motions to Seal Trial and Pretrial Evidence. I have personal knowledge of the matters set forth herein and if called as a witness could competently testify thereto.

- 2. Attached as Exhibit A is Non-Party Qualcomm Incorporated’s Reply to Third Party Reuters America LLC’s Opposition to Motions to Seal Trial and Pretrial Evidence.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 3rd day of August 2012, at San Jose, California.

/S/ DAVID KAYS