

# EXHIBIT 1

INTERNATIONAL TRADE COMMISSION

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3 In the Matter of Certain )  
Electronic Digital Media )  
4 Devices and Components ) Inv. No. 337-TA-796  
Thereof, )  
5 \_\_\_\_\_ )

UNITED STATES DISTRICT COURT

STATE OF CALIFORNIA

SAN JOSE DIVISION

--oOo--

10 APPLE INC., A CALIFORNIA )  
CORPORATION, )  
11 PLAINTIFF, ) No. 11-CV-01846-LHK  
vs. )  
12 SAMSUNG ELECTRONICS CO., )  
LTD., A KOREAN BUSINESS )  
13 ENTITY; SAMSUNG ELECTRONICS )  
AMERICA, INC., A NEW YORK )  
14 CORPORATION; SAMSUNG )  
TELECOMMUNICATIONS AMERICA, )  
15 LLC, A DELAWARE LIMITED )  
LIABILITY COMPANY, )  
16 \_\_\_\_\_ )

\*\* HIGHLY CONFIDENTIAL TRANSCRIPT \*\*

DEPOSITION OF BETH KELLERMANN

Redwood City, California

Thursday, February 23, 2012

Reported By:

LINDA VACCAREZZA, RPR, CLR, CRP, CSR. NO. 10201

JOB NO. 46385

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February 23, 2012  
9:30 a.m.

Videotaped deposition of BETH  
KELLERMANN, held at Quinn Emanuel  
Urquhart & Sullivan LLP, 555 Twin  
Dolphin Drive, Suite 500, Redwood  
Shores, California, pursuant to  
Subpoena before Linda Vaccarezza, a  
Certified Shorthand Reporter of the  
State of California.

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A P P E A R A N C E S :

QUINN EMANUEL URQUHART & SULLIVAN LLP

Attorneys for Defendants

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Redwood Shores, California 94065

BY: RANDA A. OSMAN, ESQ.

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Attorneys for Plaintiff

425 Market Street

San Francisco, California 94105

BY: JASON R. BARTLETT, ESQ.

jasonbartlett@mofo.com

VIDEOGRAPHER: Nick Kasimatis

1 THE VIDEOGRAPHER: Good morning.  
2 This is the start of the tape labeled  
3 Number 1 for the videotaped deposition of  
4 Beth Kellermann in the matter Certain  
5 Electronic Digital Media Devices in the  
6 International Trade Commission Case  
7 Number 337-TA-796.

8 This deposition is being held  
9 at Quinn Emanuel, 555 Twin Dolphin Drive,  
10 in Redwood Shores, California, on  
11 February 23, 2012, at approximately  
12 9:34 a.m.

13 My name is Nick Kasimatrakis.  
14 I'm the legal video specialist from TSG  
15 Reporting, headquartered at 747 Third  
16 Avenue, New York, New York.

17 Court reporter is Linda  
18 Vaccarezza in association with TSG  
19 Reporting.

20 Will counsel please introduce  
21 yourself.

22 MR. BARTLETT: Jason Bartlett from  
23 Morrison Foerster for plaintiff, Apple,  
24 also complainant, Apple.

25 MS. OSMAN: Can you state your

1 name?

2 THE WITNESS: Beth Kellermann,  
3 Apple.

4 MS. OSMAN: I'm Randa Osman from  
5 Quinn Emanuel for the Samsung  
6 defendants.

7 BETH KELLERMANN,  
8 Having been duly sworn, by the  
9 Certified Shorthand Reporter, was  
10 examined and testified as follows:

11 EXAMINATION

12 BY MS. OSMAN:

13 Q. Good morning. Before we start the  
14 deposition, Ms. Kellermann, I just wanted to take  
15 care of a couple of housekeeping matters. I  
16 believe the videographer indicated that this  
17 deposition was being taken in the ITC matter 796,  
18 which is correct, but it's also being taken in  
19 the Northern District of California case, which  
20 is Case Number 11-CV-01846-LHK.

21 And also when we were off the  
22 record, counsel and I agreed because the  
23 deposition is being taken in both the ITC 796  
24 matter, as well as the Northern District case,  
25 the time would just be split in half and half of

1 information requested by Samsung or if it was  
2 something that Apple's counsel independently  
3 determined?

4 A. That's correct.

5 Q. And then the specific reasons why  
6 a particular custodian was added to the case,  
7 you're not aware of those, correct?

8 MR. BARTLETT: Object to the form.

9 THE WITNESS: Can you ask it  
10 again?

11 Q. Sure. Can you tell me for each of  
12 the custodians what the specific reason was why  
13 they were added to the case as a potential  
14 custodian?

15 A. No.

16 Q. And for each of the custodians  
17 that are listed in this Document Production  
18 Summary, which is Exhibit 3 to your deposition,  
19 were documents actually collected from their  
20 computer's hard drives or other storage?

21 A. If the custodian was someone who  
22 worked on the products or had anything to do with  
23 getting the products to market, they would -- and  
24 they are on this list, they would have been  
25 targeted for collection and processing. A couple

1 of the collections, like Mark Buckley, for  
2 example, or Chuck Lancaster or Andy Allen,  
3 they're finances.

4 And so they are pulling -- anyone  
5 who is like a database administrator or a person  
6 we go to to pull data from a centralized  
7 repository, that they are not going to have  
8 documents about the case on their own personal  
9 systems outside of what counsel specifically  
10 asked them to pull, then their particular hard  
11 drives would not be collected from.

12 We would simply be targeting the  
13 -- they are on here because they were asked to do  
14 data pulls for us.

15 Q. Can you tell me, as you sit here  
16 today as Apple's corporate designee on Apple's  
17 document collection efforts, whether every single  
18 custodian listed in this Document Production  
19 Summary was interviewed by counsel in a document  
20 collection interview?

21 MR. BARTLETT: Asked and answered.

22 THE WITNESS: I can't, from  
23 looking at this document, determine  
24 whether or not they were individually  
25 interviewed for this case or whether they



1 record at 3:44 p.m.

2 (Time noted: 3:44 p.m.)

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BETH KELLERMANN

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8 Subscribed and sworn to before me

9 This day of , 2012.

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1           C E R T I F I C A T E

2       STATE OF CALIFORNIA       )

3                                    )

4       COUNTY OF SAN FRANCISCO )

5           I, LINDA VACCAREZZA, a Certified  
6       Shorthand Reporter for the State of  
7       California, do hereby certify:

8           That BETH KELLERMANN, the witness  
9       whose deposition is hereinbefore set  
10      forth, was duly sworn by me and that such  
11      deposition is a true record of the  
12      testimony given by such witness.

13          I further certify that I am not  
14      related to any of the parties to this  
15      action by blood or marriage; and that I  
16      am in no way interested in the outcome of  
17      this matter.

18          IN WITNESS WHEREOF, I have hereunto  
19      set my hand this 23rd day of February,  
20      2012.

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22                                    \_\_\_\_\_  
23      LINDA VACCAREZZA, CSR. NO. 10201