

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE, INC., a California corporation,)	Case No.: 11-CV-01846-LHK
)	
Plaintiff and Counterdefendant,)	
v.)	ORDER REGARDING EVIDENTIARY
)	OBJECTIONS AND SEALING
SAMSUNG ELECTRONICS CO., LTD., A)	
Korean corporation; SAMSUNG)	
ELECTRONICS AMERICA, INC., a New York)	
corporation; SAMSUNG)	
TELECOMMUNICATIONS AMERICA, LLC,)	
a Delaware limited liability company,)	
)	
Defendants and Counterclaimants.)	

The Court made the following rulings on the record at trial:

- The Court accepted Apple’s redacted exhibit PX25A1.
- The parties shall include limiting instructions in their list of admitted exhibits.
- SDX3951.006 was excluded because the device was not timely disclosed on Samsung’s exhibit list.
- SDX3951.003 was excluded because it contains claim construction argument.

Additionally, the Court notes that Apple has been late at least 3 times in filing its objections and responses to objections. Apple’s tardiness is unfair to Samsung. When Apple does not file its objections and responses on time, Apple is given the unfair advantage of previewing Samsung’s arguments. In order to discourage this practice, the Court will deduct trial time from any party that is tardy in filing its objections and responses. For every six minutes past 10:30 a.m. that either party is late, the Court will deduct one minute from that party’s trial time. In addition, the parties shall file, with the objections and responses, an attorney declaration indicating the time at which the objections and responses are being filed.

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Finally, the Court revises the standing order with respect to motions to seal in this case only. If either party files an administrative motion to file under seal that requires a supporting declaration from another party pursuant to Civil Local Rule 79-5(d), the party filing the 79-5(d) declaration must do so within one day of the filing of the administrative motion to seal. Declarations in support of the administrative motions to file under seal at docket numbers 1684 and 1711 shall be filed by 6:00 p.m. on August 14, 2012.

IT IS SO ORDERED.

Dated: August 13, 2012


LUCY H. KOH
United States District Judge