

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

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

vs.

SAMSUNG ELECTRONICS CO., LTD., a
Korean business entity; SAMSUNG
ELECTRONICS AMERICA, INC., a
New York corporation; SAMSUNG
TELECOMMUNICATIONS
AMERICA, LLC, a Delaware limited liability
company,

Defendants.

CASE NO. 11-cv-01846-LHK

**STIPULATION AND [PROPOSED]
ORDER GRANTING EXPEDITED
BRIEFING AND HEARING ON
SAMSUNG'S MOTION TO COMPEL**

1 Plaintiff Apple Inc. (“Apple”) and Defendants Samsung Electronics Co., Ltd., Samsung
2 Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively
3 “Samsung”), by and through their counsel and subject to the Court’s approval, hereby
4 STIPULATE AS FOLLOWS:

5 WHEREAS, Apple filed a Motion for a Preliminary Injunction on July 1, 2011
6 (Dkt No. 86);

7 WHEREAS, the Court ordered Apple to provide to Samsung discovery related to
8 Apple’s preliminary injunction motion by August 8, 2011 (Dkt No. 115);

9 WHEREAS, Samsung served various discovery requests on Apple on July 6, 2011;

10 WHEREAS, the parties met and conferred several times regarding various disputes
11 related to Samsung’s discovery requests but were unable to resolve all of the issues;

12 WHEREAS, Samsung is filing and serving its Motion to Compel Apple to Produce
13 Documents and Things in Response to Samsung’s Request for Production No. 1 and Further
14 Responses to Interrogatories Nos. 1, 3, and 6 (“Motion to Compel”) concurrently herewith;

15 WHEREAS, pursuant to the 35-day rule in Civil Local Rule 7-2, Samsung noticed
16 its Motion to Compel for a hearing at the earliest possible hearing date of October 11, 2011;

17 WHEREAS, the hearing on Apple’s Motion for a Preliminary Injunction is
18 scheduled for October 13, 2011, just two days after the current hearing date for the Motion to
19 Compel;

20 WHEREAS, the parties respectfully request the Court to allow expedited briefing
21 and hearing on Samsung’s Motion to Compel to provide sufficient time to comply with the
22 Court’s decision regarding the Motion to Compel;

23 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED TO BETWEEN
24 THE PARTIES THAT, subject to the Court’s approval:

- 25 • Apple’s Opposition to Samsung’s Motion to Compel will be due on or before
26 Friday, September 9, 2011
- 27 • Samsung’s Reply in support of its Motion to Compel will be due on or before
28 Monday, September 12, 2011 at 8:00 a.m.

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

- A hearing on Samsung’s Motion to Compel shall be heard on September 13, 2011 at 10:00 a.m., or the earliest date convenient for the Court.

Dated: August 31, 2011

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: /s/ Victoria F. Maroulis

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

Dated: August 31, 2011

MORRISON & FOERSTER LLP

By: /s/ Jason Bartlett

Attorneys for Plaintiff APPLE INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: _____

Honorable Paul S. Grewal
Magistrate Judge of the United States District Court

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

GENERAL ORDER ATTESTATION

In compliance with General Order 45(X)(B), I hereby attest that Jason Bartlett has concurred in this filing.

/s/ Victoria F. Maroulis