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 CO., LTD., SAMSUNG ELECTRONICS
 14 AMERICA, INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC
 15

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,

CASE NO. 11-cv-01846-LHK

19 Plaintiff,

**DECLARATION OF SARA JENKINS IN
 SUPPORT OF THE STIPULATED
 MOTION TO EXPEDITE BRIEFING AND
 HEARING ON SAMSUNG’S MOTION TO
 COMPEL**

20 vs.

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

24 Defendants.
 25

1 I, Sara Jenkins, declare as follows:

2 1. I am an associate in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,
3 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung
4 Telecommunications America, LLC (collectively, “Samsung”). I have personal knowledge of
5 the facts set forth in this declaration and, if called upon as a witness, I could and would testify to
6 such facts under oath.

7
8 2. This declaration is submitted in support of the proposed stipulation and order filed
9 jointly by Apple, Inc (“Apple”) and Samsung, requesting an order from this Court shortening the
10 time for briefing and hearing in connection with Samsung’s Motion to Compel, filed and served
11 concurrently herewith.

12 3. On July 1, 2011, Apple filed a Motion for a Preliminary Injunction (Dkt No. 86).

13 4. On July 18, 2011, the Court adopted a hearing and briefing schedule, as well as a
14 discovery schedule, for Apple’s preliminary injunction motion.

15 5. On August 8, 2011, Samsung’s discovery from Apple regarding the preliminary
16 injunction motion was due. (Dkt No. 115.)

17 6. On August 22, 2011, Samsung served its Opposition to Apple’s Preliminary
18 Injunction Motion and filed a motion to file the Opposition brief under seal. (Dkt No. 175.)

19 7. Apple’s Reply in support of its Motion for a Preliminary Injunction is due
20 September 30, 2011. (Dkt No. 115.)

21 8. The hearing on the Preliminary Injunction Motion is scheduled for October 13,
22 2011. (Dkt No. 115.)

23 9. Between July 20, 2011 and August 29, 2011, counsel for Samsung and counsel for
24 Apple met and conferred several times and exchanged various correspondence regarding a number
25 of discovery requests by Samsung related to the preliminary injunction motion. The parties were
26
27

1 unable to reach agreement on all of the requests, including those raised in Samsung's Motion to
2 Compel.

3 10. On August 31, 2011, Samsung served its Motion to Compel.

4 11. Pursuant to Civil Local Rule 7-2, all motions must be noticed for hearing not less
5 than 35 days after service of the motion. Samsung's Motion to Compel is currently noticed for
6 the earliest possible hearing on October 11, 2011, which is only two days prior to the hearing on
7 the preliminary injunction motion.
8

9 12. On August 31, 2011, counsel for Apple agreed to a shortening of time for briefing
10 and hearing on Samsung's Motion to Compel.

11 13. Pursuant to the parties' agreed-upon modification:

- 12 a. Apple's opposition to Samsung's Motion to Compel would be due on or
13 before Friday, September 9, 2011;
14
15 b. Samsung's Reply would be due on or before Monday, September 12, 2011
16 at 8 a.m.; and
17
18 c. the hearing on the motion would occur on Tuesday, September 13, 2011, at
19 10:00 a.m., or at the Court's earliest convenience.

20 14. Previous time modifications in the case, whether by stipulation or Court order,
21 include the following:

- 22 a. On April 26, 2011, the Court granted Apple's motion to shorten time for
23 briefing and hearing on its motion to expedite discovery. (Dkt No. 26.)
24
25 b. On May 9, 2011, Apple and Samsung stipulated and agreed that the time for
26 Samsung to serve responsive pleadings pursuant to Rule 12(a) shall be 75
27 days after April 21, 2011. On May 10, 2011, the Court signed the

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Stipulation and Order regarding an extension of time for Samsung to serve responsive pleadings. (Dkt No. 40.)

- c. On June 1, 2011, the Court granted in part Samsung’s request to shorten time for hearing and briefing on Samsung’s Motion to Compel Reciprocal Expedited Discovery. (Dkt No. 59.)
- d. On July 18, 2011 the Court ordered a briefing schedule related to expedited discovery and Apple’s motion for a preliminary injunction, setting dates from July 2011 through the October 13, 2011 hearing on Apple’s Motion for Preliminary Injunction. (Dkt No. 115.)
- e. On July 21, 2011, the Court granted the parties’ stipulation to extend the time for briefing Samsung’s Motion to Disqualify the Bridges & Mavrakakis, LLP law firm. (Dkt No. 125.)

15. The present request to shorten time will not affect the schedule for the case.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 31, 2011 at Redwood Shores, California.

/s/ Sara Jenkins

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General Order Attestation

I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to file the **DECLARATION OF SARA JENKINS IN SUPPORT OF THE STIPULATED MOTION TO EXPEDITE BRIEFING ON SAMSUNG’S MOTION TO COMPEL** In compliance with General Order 45, X.B., I hereby attest that Sara Jenkins has concurred in this filing.

/s/ Victoria Maroulis