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15 Attorneys for Samsung Electronics Co., Ltd.,
 Samsung Electronics America, Inc., and Samsung
 16 Telecommunications America, LLC

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

19 APPLE INC., a California corporation,

20 Plaintiff,

21 vs.

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

26 Defendants.
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CASE NO. 11-cv-01846-LHK

**SUPPLEMENTAL DECLARATION OF
 SUSAN R. ESTRICH IN SUPPORT OF
 SAMSUNG’S MOTION FOR JUDGMENT
 AS A MATTER OF LAW, NEW TRIAL
 AND/OR REMITTITUR PURSUANT TO
 FEDERAL RULES OF CIVIL
 PROCEDURE 50 AND 59**

1 I, Susan R. Estrich, declare as follows:

2 1. I am a member of the bar of the State of California, admitted to practice before this
3 Court, and a partner at Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Samsung
4 Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications
5 America, LLC (collectively “Samsung”). Unless otherwise indicated, I have personal knowledge
6 of the facts set forth in this declaration and, if called upon as a witness, I would testify to such
7 facts under oath.

8 2. I submit this declaration in support of Samsung’s Notice of Motion and Motion for
9 Judgment as a Matter of Law, New Trial, and/or Remittitur (the “Motion”).

10 3. In response to Samsung’s motion detailing Velvin Hogan’s failure to reveal his
11 litigation with Seagate during *voir dire* and its impact on the integrity of the trial and the verdict,
12 Apple demanded that Samsung disclose the timing of its knowledge regarding those facts. A true
13 and correct copy of Apple’s email, along with further correspondence between counsel for the
14 parties that resulted in Apple’s agreement that any such disclosures would not constitute a waiver
15 of any privilege, is attached hereto as Exhibit A. By way of separate declaration, Samsung is
16 confirming to Apple that it did not know of Mr. Hogan’s undisclosed litigation against Seagate
17 until after the verdict. To date, Apple has not revealed whether it was aware of Mr. Hogan’s
18 litigation against Seagate prior to the verdict or prior to Samsung’s Motion.

19 4. After Samsung filed its Motion on September 21, 2012, Reuters published an
20 account of an additional interview given by Mr. Hogan. Attached hereto as Exhibit B is a true
21 and correct copy of an article entitled “Samsung goes after jury foreman in bid to reverse Apple
22 verdict.” This copy of the article was printed on October 1, 2012 from the website *Thomson*
23 *Reuters* at the following URL: [http://newsandinsight.thomsonreuters.com/Legal/News/2012/09_-
24 _September/Samsung_goes_after_jury_foreman_in_bid_to_reverse_Apple_verdict/](http://newsandinsight.thomsonreuters.com/Legal/News/2012/09_-_September/Samsung_goes_after_jury_foreman_in_bid_to_reverse_Apple_verdict/).

25 5. According to the article, Mr. Hogan stated “that he didn’t mention the 1993 Seagate
26 case” during *voir dire* because “he wasn’t asked specifically to disclose every case he’d ever been
27 involved in.” Further, the article states that Mr. Hogan said that he sued Seagate for fraud.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed in Los Angeles, California on October 1, 2012.

By /s/ Susan R. Estrich

Susan R. Estrich