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 APPLE INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

17 APPLE INC., a California corporation,
 18 Plaintiff,
 19 v.
 20 SAMSUNG ELECTRONICS CO., LTD., a
 Korean corporation; SAMSUNG ELECTRONICS
 21 AMERICA, INC., a New York corporation; and
 SAMSUNG TELECOMMUNICATIONS
 22 AMERICA, LLC, a Delaware limited liability
 company,
 23 Defendants.

Case No. 4:11-cv-01846-LHK

**BARTLETT DECLARATION IN
 SUPPORT OF JOINT
 STIPULATION AND
 [PROPOSED] ORDER
 EXTENDING APPLE'S TIME TO
 RESPOND TO SAMSUNG'S
 MOTION TO EXCLUDE
 ORDINARY OBSERVER
 OPINIONS OF APPLE EXPERT
 COOPER WOODRING**

Date: October 13, 2011
 Time: 1:30 p.m.
 Place: Courtroom 8, 4th Floor
 Judge: Hon. Lucy H. Koh

1 I, Jason Bartlett, declare as follows:

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

7 2. This declaration is submitted in support of the proposed stipulation and order filed
8 jointly by Apple and Samsung requesting an order from this Court extending Apple’s time to
9 respond to Samsung’s Motion to Exclude Ordinary Observer Opinions of Apple Expert Cooper
10 Woodring (“Motion to Exclude”).

11 3. On August 23, 2011, Samsung filed its Motion to Exclude under seal.

12 4. Apple’s opposition to Samsung’s Motion to Exclude is due today, September 6,
13 2011.

14 5. The Court has scheduled a hearing on Samsung’s Motion to Exclude at 1:30 p.m.
15 on October 13, 2011.

16 6. The parties have met and conferred regarding the briefing schedule on Samsung’s
17 Motion to Exclude, and have agreed to extend Apple’s responsive pleading deadline.

18 7. Pursuant to the parties’ agreement:

19 a. The time for Apple to respond to Samsung’s Motion to Exclude would be
20 extended seven (7) days, up to and including Tuesday, September 13; and

21 b. In accordance with L.R. 7-3(c), Samsung would file its reply in support of
22 its Motion to Exclude by September 20, 2011.

23 8. Previous time modifications in this case, whether by stipulation or Court order,
24 include the following:

25 a. On April 26, 2011, the Court granted Apple’s motion to shorten time for
26 briefing and hearing on its motion to expedite discovery. (Dkt No. 26.)

27 b. On May 9, 2011, Apple and Samsung stipulated and agreed that the time
28 for Samsung to serve responsive pleadings pursuant to Rule 12(a) shall be

1 75 days after April 21, 2011. On May 10, 2011, the Court signed the
2 Stipulation and Order regarding an extension of time for Samsung to serve
3 responsive pleadings.¹

- 4 c. On June 1, 2011, the Court granted in part Samsung's request to shorten
5 time for hearing and briefing on Samsung's Motion to Compel Reciprocal
6 Expedited Discovery.²
- 7 d. On July 18, 2011 the Court ordered a briefing schedule related to expedited
8 discovery and Apple's motion for a preliminary injunction, setting dates
9 from July 2011 through the October 13, 2011 hearing on Apple's Motion
10 for Preliminary Injunction.³
- 11 e. On July 20, 2011, the parties stipulated to altering the briefing schedule on
12 Samsung's Motion to Disqualify Bridges and Mavrakakis LLP to reflect
13 the Court's change in hearing dates, extending the time for both Apple's
14 opposition and Samsung's reply by seven days to August 1 and August 8,
15 respectively.⁴
- 16 f. On August 8, the parties stipulated to extend Samsung's discovery deadline
17 from August 8 until August 16.⁵
- 18 g. On September 1, 2011, the Court granted the parties' stipulation to an
19 expedited briefing schedule for Samsung's Motion to Compel Apple to
20 Produce Documents and Things in Response to Samsung's Request for
21 Production No. 1 and Further Responses to Interrogatories Nos. 1, 3, and 6,
22 setting the hearing on Samsung's motion to compel for September 13,
23 2011, the deadline for Apple's opposition on September 9, 2011, and the
24 deadline for Samsung's reply on September 12, 2011.⁶

25 ¹ D.N. 40.

26 ² D.N. 59.

27 ³ D.N. 115.

28 ⁴ D.N. 119; stipulation granted by D.E. 120 (July 21, 2011).

⁵ D.N. 146; stipulation granted by D.E. 152 (August 10, 2011).

⁶ D.N. 199.

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9. This stipulation does not affect the scheduled hearing date of October 13, 2011.

10. No other deadlines or hearing dates are affected by this stipulation and [proposed] order.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 6, 2011 in San Francisco, California.

/s/ Jason Bartlett
JASON BARTLETT