

1 HAROLD J. MCELHINNY (CA SBN 66781)
 hmcclhinny@mofo.com
 2 MICHAEL A. JACOBS (CA SBN 111664)
 mjacobs@mofo.com
 3 RICHARD S.J. HUNG (CA SBN 197425)
 rhung@mofo.com
 4 MORRISON & FOERSTER LLP
 425 Market Street
 San Francisco, California 94105-2482
 5 Telephone: (415) 268-7000
 Facsimile: (415) 268-7522
 6

MARK D. SELWYN (SBN 244180)
 mark.selwyn@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 950 Page Mill Road
 Palo Alto, California 94304
 Telephone: (650) 858-6000
 Facsimile: (650) 858-6100

WILLIAM F. LEE (*pro hac vice*)
 william.lee@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 60 State Street
 Boston, MA 02109
 Telephone: (617) 526-6000
 Facsimile: (617) 526-5000

Attorneys for Plaintiff
 APPLE INC.

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

14 APPLE INC., a California corporation,
 15
 16 Plaintiff,
 17 v.
 18 SAMSUNG ELECTRONICS CO., LTD., a
 Korean corporation; SAMSUNG
 19 ELECTRONICS AMERICA, INC., a New
 York corporation; and SAMSUNG
 20 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,
 21 Defendants.

Case No. 11-cv-01846-LHK

**DECLARATION OF JASON R.
 BARTLETT IN SUPPORT OF APPLE'S
 OPPOSITION TO SAMSUNG'S MOTION
 TO COMPEL REGARDING REQUEST
 FOR PRODUCTION NO. 1 AND
 INTEROGATORY NOS. 1, 3, AND 6**

Date: September 13, 2011
 Time: 10:00.
 Place: Courtroom 5, 4th Floor
 Judge: Hon. Paul Singh Grewal

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 23 PUBLIC REDACTED VERSION
 EXHIBITS A, B, C, D, E, H, I and J FILED UNDER SEAL
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1 I, JASON R. BARTLETT, declare as follows:

2 1. I am a partner at the law firm of Morrison & Foerster LLP, attorneys of record in
3 this action for plaintiff Apple Inc. (“Apple”). I submit this declaration in support of Apple’s
4 Opposition to Samsung’s Motion to Compel Regarding Request for Production No. 1 and
5 Interrogatory Nos. 1, 3 and 6. Unless otherwise indicated, I have personal knowledge of the
6 matters set forth below. If called as a witness I could and would testify competently as follows:

7 2. Apple has provided over 35,000 pages of discovery, detailed responses to
8 Samsung’s interrogatories, and has offered over 10 witnesses on topics relevant to the preliminary
9 injunction motion.

10 3.

11 Instead, counsel for Apple and Samsung met and conferred several times,
12 during which Apple explained that it would provide only “narrowly tailored” discovery in
13 connection with the Preliminary Injunction motion

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11. The parties are currently negotiating a protective order to protect each companies' confidential and trade secret information.

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13. Attached as Exhibit A is a true and correct copy of my August 1, 2011 letter to Todd Brigs, counsel for Samsung.

14. Attached as Exhibit B is a true and correct copy of a July 29, 2011 letter from Todd Briggs to myself.

1 15. Attached as Exhibit C is a true and correct copy of my August 31, 2011 e-mail to
2 Sara Jenkins, counsel for Samsung.

3 16. Attached as Exhibit D is a true and correct copy of an August 11, 2011 letter from
4 Michael A. Jacobs, counsel for Apple, to Michael Zeller, counsel for Samsung.

5 17. Attached as Exhibit E is a true and correct copy of an August 4, 2011 letter from
6 Michael Zeller to Michael Jacobs.

7 18. Attached as Exhibit F is a true and correct copy of an article entitled “Behind
8 Samsung's Tablet Redesign: We Won't Be Outdone By Apple,” authored by Elizabeth Woyke for
9 Forbes.com, dated March 22, 2011, available at

10 [http://www.forbes.com/sites/elizabethwoyke/2011/03/22/behind-samsungs-tablet-redesign-we-](http://www.forbes.com/sites/elizabethwoyke/2011/03/22/behind-samsungs-tablet-redesign-we-wont-be-outdone-by-apple/)
11 [wont-be-outdone-by-apple/](http://www.forbes.com/sites/elizabethwoyke/2011/03/22/behind-samsungs-tablet-redesign-we-wont-be-outdone-by-apple/).

12 19. Attached as Exhibit G is a true and correct copy of an article entitled “The
13 Mysterious Case of the ‘iPad 2’ Cases,” authored by Owen Fletcher for the Wall Street Journal
14 dated December 31, 2010, available at [http://blogs.wsj.com/chinarealtime/2010/12/31/the-](http://blogs.wsj.com/chinarealtime/2010/12/31/the-mysterious-case-of-the-ipad-2-cases/)
15 [mysterious-case-of-the-ipad-2-cases/](http://blogs.wsj.com/chinarealtime/2010/12/31/the-mysterious-case-of-the-ipad-2-cases/).

16 20. Attached as Exhibit H is a true and correct copy of a July 27, 2011 e-mail from
17 Deok Keun Matthew Ahn, counsel for Apple, to Sara Jenkins, et al.

18 21. Attached as Exhibit I is a true and correct copy of a July 28, 2011 e-mail from
19 Todd Briggs to Deok Keun Matthew Ahn.

20 22. Attached as Exhibit J is a true and correct copy of excerpts from the July 26, 2011
21 deposition transcript of Richard J. Lutton.

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23 I declare under the penalty of perjury under the laws of the United States of America that
24 the forgoing is true and correct and that this Declaration was executed this 9th day of September,
25 2011, at San Francisco, California.

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Dated: September 9, 2011

MORRISON & FOERSTER LLP

By: /s/ Jason R. Bartlett
 Jason R. Bartlett

Attorneys for Plaintiff
APPLE INC.