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CO., LTD., SAMSUNG ELECTRONICS
14 AMERICA, INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC
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16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,

19 Plaintiff,

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.
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CASE NO. 11-cv-01846-LHK

**DECLARATION OF RACHEL HERRICK
KASSABIAN IN SUPPORT OF
SAMSUNG'S MOTION TO SHORTEN
TIME FOR BRIEFING AND HEARING
ON ITS MOTION TO COMPEL**

Case No. 11-cv-01846-LHK

**KASSABIAN DECLARATION IN SUPPORT OF SAMSUNG'S MOTION TO SHORTEN TIME FOR
BRIEFING AND HEARING ON ITS MOTION TO COMPEL**

1 I, Rachel Herrick Kassabian, declare:

2 1. I am a partner 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"). Unless otherwise indicated, I
5 have personal knowledge of the facts set forth in this declaration and, if called upon as a witness, I
6 could and would testify as follows.

7 2. On September 29, 2011, I asked counsel for Apple if Apple would agree to an
8 expedited briefing and hearing schedule on Samsung's planned Motion to Compel Apple to
9 provide deposition dates in compliance with the Court's Case Management Order, whereby
10 Samsung's Motion would be heard on Tuesday, October 4, 2011 at 10 a.m. That same day,
11 counsel for Apple declined to agree to Samsung's request. Lead counsel also met and conferred
12 in person (via video conference) on September 30, 2011, but were unable to resolve this issue.

13 3. Pursuant to L.R. 6-3(a)(5), previous time modifications in the case, whether by
14 stipulation or Court order, include the following:

- 15 A. On April 26, 2011, the Court granted Apple's motion to shorten time for
16 briefing and hearing on its motion to expedite discovery. (Dkt No. 26.)
- 17 B. On May 9, 2011, Apple and Samsung stipulated and agreed that the time for
18 Samsung to serve responsive pleadings pursuant to Rule 12(a) shall be 75
19 days after April 21, 2011. On May 10, 2011, the Court signed the
20 Stipulation and Order regarding an extension of time for Samsung to serve
21 responsive pleadings. (Dkt No. 40.)
- 22 C. On June 1, 2011, the Court granted in part Samsung's request to shorten
23 time for hearing and briefing on Samsung's Motion to Compel Reciprocal
24 Expedited Discovery. (Dkt No. 59.)
- 25 D. On July 18, 2011 the Court ordered a briefing schedule related to expedited
26 discovery and Apple's motion for a preliminary injunction, setting dates
27

1 from July 2011 through the October 13, 2011 hearing on Apple's Motion
2 for Preliminary Injunction. (Dkt No. 115.)

3 E. On July 21, 2011, the Court granted the parties' stipulation to extend the
4 time for briefing Samsung's Motion to Disqualify Counsel Bridges &
5 Mavrakakis, LLP. (Dkt No. 125.)

6 F. On September 1, 2011 the Court granted Samsung's stipulated motion to
7 expedite briefing on Samsung's Motion to Compel Apple to Produce
8 Documents and Things. (Dkt No. 199)

9 G. On September 6, 2011 the Court granted Apple's stipulated motion to
10 extend time for Apple to respond to Samsung's Motion to Exclude the
11 Ordinary Observer Opinions of Apple Expert Cooper Woodring. (Dkt No.
12 210.)

13 H. On September 20, 2011, the Court granted Samsung's unopposed motion to
14 change the hearing date on its motion to dismiss. (Dkt No. 244.)

15 I. On September 23, 2011, the Court granted Apple's motion to shorten time
16 to expedite briefing on Apple's motion to compel. (Dkt No. 255.)

17 4. The present request to shorten the briefing and hearing schedule on Samsung's
18 Motion to Compel will not affect the schedule of the case.

19 I declare under penalty of perjury that the foregoing is true and correct. Executed in San
20 Francisco, California on October 1, 2011.

21 /s/ Rachel Herrick Kassabian
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/s/ Victoria Maroulis