

WILMERHALE

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October 18, 2011

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Via E-Filing

Honorable Lucy H. Koh
United State District Court
for the Northern District of California
San Jose Courthouse, Courtroom 8 - 4th Floor
280 South 1st Street
San Jose, CA 95113

Re: Apple Inc. v. Samsung Electronics Co. Ltd., et al., Case No. 11-cv-01846-LHK
**Request to Postpone Scheduled October 20 Hearing on Samsung's Motion to
Dismiss and Strike Apple's Counterclaims**

Dear Judge Koh:

I am writing to follow up on my October 14 letter to the Court regarding Apple's intent to seek leave to file an Amended Answer, Defenses, and Counterclaims in Reply to Samsung's Counterclaims. We have provided a copy of the proposed amended pleading to Samsung, which is considering whether to consent.

We have conferred further with Samsung on this issue, and the parties are in agreement that it would be appropriate to postpone the currently scheduled October 20 hearing on Samsung's motion to dismiss certain of Apple's current counterclaims pending a determination of whether the existing pleading will be superseded by the proposed amendment; and, if Apple's amended pleading is accepted, until Samsung determines whether to challenge the amended pleading and such a challenge is fully briefed. Accordingly, I am writing on behalf of all parties to request that the Court's postpone Thursday's hearing.

Thank you for your consideration to the parties' request.

Sincerely yours,

William F. Lee, *per*

William F. Lee

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Honorable Lucy H. Koh

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