

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP
Charles K. Verhoeven (Cal. Bar No. 170151)
2 charlesverhoeven@quinnemanuel.com
50 California Street, 22nd Floor
3 San Francisco, California 94111
Telephone: (415) 875-6600
4 Facsimile: (415) 875-6700

5 Kevin P.B. Johnson (Cal. Bar No. 177129)
kevinjohnson@quinnemanuel.com
6 Victoria F. Maroulis (Cal. Bar No. 202603)
victoriamaroulis@quinnemanuel.com
7 555 Twin Dolphin Drive 5th Floor
Redwood Shores, California 94065
8 Telephone: (650) 801-5000
Facsimile: (650) 801-5100

9 Michael T. Zeller (Cal. Bar No. 196417)
10 michaelzeller@quinnemanuel.com
865 S. Figueroa St., 10th Floor
11 Los Angeles, California 90017
Telephone: (213) 443-3000
12 Facsimile: (213) 443-3100

13 Attorneys for SAMSUNG ELECTRONICS
CO., LTD., SAMSUNG ELECTRONICS
14 AMERICA, INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC
15

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.
25

CASE NO. 11-cv-01846-LHK

**DECLARATION OF DIANE C.
HUTNYAN IN SUPPORT OF
SAMSUNG'S MOTION TO SHORTEN
TIME FOR BRIEFING AND HEARING**

Date: December 16, 2011

Time: 10:00 a.m.

Place: Courtroom 5, 4th Floor

Judge: Hon. Paul S. Grewal

1 I, Diane C. Hutnyan, declare:

2 I am a member of the bar of the State of California and a partner with Quinn Emanuel
3 Urquhart & Sullivan, LLP, counsel for Samsung Electronics Co., Ltd., Samsung Electronics
4 America, Inc. and Samsung Telecommunications America, LLC (collectively, "Samsung"). I
5 submit this declaration in support of Samsung's Motion to Shorten Time for Briefing and Hearing
6 of Samsung's Motions To Compel. I have personal knowledge of the facts set forth in this
7 declaration and, if called upon as a witness, I could and would testify to the following facts.

8 1. Prompt discovery of the materials and responses Samsung seeks in its motions to
9 compel is critical for use in connection with ongoing claim construction briefing, for preparation
10 of Samsung's invalidity case, for upcoming depositions and follow-on discovery, and for
11 preparation of expert analysis and reports. The claim construction phase of this litigation is
12 currently underway, with briefing closing on December 22, 2011. Samsung has noticed forty-
13 nine depositions expected to take place in January and early February. The deponents are
14 designers and engineers with knowledge of the accused products, as well as sales and marketing
15 personnel responsible for selling the accused Apple products. Samsung will need significant
16 time to review any materials that are produced to determine if anything is missing and plan further
17 discovery.

18 2. As described in greater detail in the Declaration of Diane Hutnyan in Support of
19 Samsung's Administrative Motion for Relief from Lead Counsel Meet and Confer Requirement
20 and the Declaration of Diane C. Hutnyan in Support of Samsung's Motion to Compel Production
21 of Documents and Things and Responsive Answers to Propounded Discovery, Samsung has tried,
22 after weeks of meeting and conferring (in which I was personally involved) to resolve the issues
23 raised in Samsung's motions to compel without court intervention but was unable to do so.

24 3. On December 7, 2011, Apple filed its Motion to Compel, (D.N. 467-01), and the
25 accompanying Motion to Shorten Time. (D.N. 464.) The Court granted Apple's Motion to
26 Shorten to Time and scheduled the deadline for Samsung's opposition on Wednesday, December
27 14, and the hearing for December 16, 2011. (D.N. 477.)

28

