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 14 INC. and SAMSUNG  
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16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION  
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19 APPLE INC., a California corporation,  
 20 Plaintiff,  
 21 vs.  
 22 SAMSUNG ELECTRONICS CO., LTD., a  
 Korean business entity; SAMSUNG  
 23 ELECTRONICS AMERICA, INC., a New  
 York corporation; SAMSUNG  
 24 TELECOMMUNICATIONS AMERICA,  
 LLC, a Delaware limited liability company,  
 25 Defendant.  
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CASE NO. 11-cv-01846-LHK

**DECLARATION OF HANKIL KANG IN  
 SUPPORT OF SAMSUNG'S MOTION TO  
 EXTEND TIME FOR COMPLIANCE  
 WITH THE COURT'S DECEMBER 22,  
 2011 ORDER PURSUANT TO L.R. 6-1  
 AND 6-3**

1 I, Hankil Kang, declare:

2 1. I am Legal Counsel at Samsung Electronics Co., Ltd. I submit this Declaration in  
3 support of Samsung's motion to extend time for compliance with certain deadlines set by the  
4 Court's December 22, 2011 Order. I have personal knowledge of the facts set forth in this  
5 declaration and, if called upon as a witness, I could and would competently testify thereto.

6 2. Since May 2011, I have been involved, along with a team of counsel and our  
7 outside lawyers, in collecting information and relevant documents relating to Apple's claims in  
8 this litigation, including documents responsive to Apple's hundreds of requests for production of  
9 documents.

10 3. On December 22, 2011, the Court ordered Samsung to produce certain categories  
11 of documents on or before December 31, 2011. Both before and after the issuance of that Order, I  
12 (along with a team of in-house attorneys and outside counsel) have been involved in an immense  
13 effort to collect and complete production of all documents subject to the Court's Order. Many of  
14 the ordered documents have already been produced, or will be produced by the Court-ordered  
15 deadlines (including CAD files, mockups, sketchbooks, certain designer emails and documents,  
16 source code, documents referencing Apple's products, and the like). Samsung's production efforts  
17 are ongoing, and in some respects are not complete.

18 4. The steps Samsung has taken in its attempt to meet the Court's deadlines include  
19 the following:

20 a. Given the massive volume of data that had to be collected pursuant to the  
21 Order, and the physical limitations on how much Samsung's current e-discovery vendor could  
22 process in such a short period of time (December 22-31, a nine-day period over the holidays),  
23 Samsung has engaged an additional discovery vendor, a substantial expense, to assist in collecting  
24 and processing the requested documents. This new e-discovery vendor has had to obtain  
25 additional servers to process the volume of data required by the Court's Order, and is processing  
26 the data at data centers in three different countries in an effort to expedite the production of these  
27 documents to the greatest extent possible.

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1           b. Samsung has directed its outside counsel to hire additional attorneys to  
2 assist in the expedited review process, given the amount of data involved and the limited  
3 availability of certain personnel over this nine-day holiday period. Both Samsung and its outside  
4 counsel have worked straight through the holidays, including on Christmas Eve and Christmas  
5 Day, in Samsung's attempt to meet the Court's deadlines.

6           c. Samsung has contacted various custodians at their homes over the holidays  
7 in order to conduct additional document collection interviews.

8           d. Samsung representatives have personally couriered hard drives from Korea  
9 to the United States in order to deliver the data to the relevant personnel as quickly as possible.

10          5. Despite these extensive efforts, the sheer breadth of Apple's requests makes it  
11 impossible for Samsung to complete production of all responsive documents by December 31,  
12 2011. Specifically, based on our e-discovery vendor's current estimates, it will be physically  
13 impossible to complete the document processing for certain subcategories of documents in time  
14 for those documents to be reviewed and produced by the December 31 deadline. More  
15 specifically, for the portion of item 2 of the Court's Order referencing designer emails, while this  
16 production has already commenced and is ongoing, we anticipate that some design history emails  
17 for some of the relevant custodians will not be complete by December 31. Additionally, for item 4  
18 of the Court's order, while this production has already commenced and is ongoing, we anticipate  
19 that some responsive documents for some of the customer survey custodians will not be complete  
20 by December 31. While we intend to produce these documents on a rolling basis, based on our  
21 current estimates we believe the production of these two subsets of documents will not be  
22 completed until January 9, 2011.

23           I declare under the penalty of perjury that the forgoing is true and correct to the best of my  
24 knowledge. Executed this 29th day of December, 2011, at Suwon, South Korea.

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