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

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

19  
20 APPLE INC., a California corporation,

21 Plaintiff,

22 vs.

23 SAMSUNG ELECTRONICS CO., LTD., a  
Korean business entity; SAMSUNG  
24 ELECTRONICS AMERICA, INC., a New  
York corporation; SAMSUNG  
25 TELECOMMUNICATIONS AMERICA,  
26 LLC, a Delaware limited liability company,

27 Defendant.

CASE NO. 11-cv-01846-LHK

**DECLARATION OF BILL TRAC IN  
SUPPORT OF SAMSUNG'S RENEWED  
MOTION TO COMPEL**

Date: January 18, 2012

Time: 2:00 p.m.

Place: Courtroom 5, 4th Floor

Judge: Hon. Paul S. Grewal

1 I, Bill Trac, declare:

2 1. I am an associate 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"). I have personal knowledge of the  
5 facts set forth in this declaration and, if called upon as a witness, I could and would testify to such  
6 facts under oath.

7 2. On December 20, 2011, I inspected a computer that Apple represented was a  
8 functioning example of a computer running Mac OS 10.0. The inspection took place at the office  
9 of Apple's counsel, Morrison & Foerster, in Palo Alto, California.

10 3. The computer Apple produced was an Apple Power Mac G4 desktop computer,  
11 attached to an Apple Studio Display monitor. The computer was running Mac OS X, version 10.0,  
12 build 4K78.

13 4. The Apple Studio Display monitor had a small conductive button on the front face  
14 etched with an iconized sun, indicating brightness controls. When pressed, the button area lit up,  
15 but the brightness of the monitor did not change. I observed no other reaction from pressing the  
16 brightness button.

17 5. Despite spending over an hour inspecting the computer, including procuring and  
18 installing an additional USB cable attaching the Apple Studio Display to the Power Mac G4,  
19 neither I nor my colleague Alex Baxter were able to adjust the brightness of the Studio Display.  
20 We were similarly unable to reproduce the brightness adjustment window pictured in the  
21 November 15 letter from Rachel Herrick Kassabian.

22 I declare under penalty of perjury that the foregoing is true and correct. Executed in  
23 Redwood Shores, California on January 10, 2012.

24  
25  
26  
27  
28

/s/ Bill Trac

Bill Trac

