

Exhibit A

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION

4 APPLE, INC.,) CV-11-1846-LHK
5)
6 PLAINTIFF,) SAN JOSE, CALIFORNIA
7)
8 VS.)
9) DECEMBER 16, 2011
SAMSUNG ELECTRONICS CO.)
LTD., ET AL,)
DEFENDANT.)

10
11 TRANSCRIPT OF PROCEEDINGS
12 BEFORE THE HONORABLE PAUL S. GREWAL
13 UNITED STATES DISTRICT JUDGE

14 A P P E A R A N C E S:

15
16 FOR THE PLAINTIFF: MORRISON & FOERSTER, LLP
17 BY: MICHAEL JACOBS
18 ESTHER KIM
19 JASON BARTLETT
RICHARD HUNG
425 MARKET STREET
SAN FRANCISCO, CA 94105

20 FOR THE DEFENDANT: QUINN EMANUEL
21 BY: VICTORIA MAROULIS
22 555 TWIN DOLPHIN DR., 5TH FL
REDWOOD SHORES, CA 94065

23 (APPEARANCES CONTINUED ON THE NEXT PAGE)

24
25 OFFICIAL COURT REPORTER: SUMMER FISHER, CSR, CRR
CERTIFICATE NUMBER 13185

1 SAN JOSE, CALIFORNIA

DECEMBER 16, 2011

2 P R O C E E D I N G S

3 (WHEREUPON, COURT CONVENEED AND THE
4 FOLLOWING PROCEEDINGS WERE HELD:)

5 THE CLERK: APPLE, INC. VERSUS SAMSUNG
6 ELECTRONICS COMPANY. CASE NUMBER CV -11-1846.

7 MATTER ON FOR PLAINTIFF'S MOTION TO
8 COMPEL AND DEFENDANT'S MOTIONS TO COMPEL.

9 COUNSEL, PLEASE STATE YOUR APPEARANCES.

10 MR. JACOBS: GOOD AFTERNOON YOUR HONOR.
11 MICHAEL JACOBS FROM MORRISON & FOERSTER FOR APPLE.

12 WITH ME IS RICH HUNG, JASON BARTLETT AND
13 ESTHER KIM FROM MORRISON & FOERSTER.

14 THE COURT: ALL RIGHT.

15 GOOD MORNING, OR I SHOULD SAY GOOD
16 AFTERNOON TO EACH OF YOU.

17 MS. MAROULIS: GOOD MORNING, YOUR HONOR.

18 VICTORIA MAROULIS FROM QUINN EMANUEL.
19 WITH ME ARE MY COLLEAGUES BRETT ARNOLD,
20 MELISSA CHAN AND SARA JENKINS.

21 THE COURT: ALL RIGHT. GOOD AFTERNOON TO
22 EACH OF YOU.

23 ALL RIGHT. I HAVE A TOTAL OF THREE
24 MOTIONS BEFORE ME. I HAVE READ THE PAPERS,
25 INCLUDING THOSE THAT WERE MOST RECENTLY SUBMITTED.

1 TECHNOLOGY.

2 WE WOULD NOT SHOW HIM ANY SOURCE CODE OR
3 ANY OF APPLE'S TECHNICAL DOCUMENTATION. HE WILL BE
4 REVIEWING DESIGN CAD FILES, DESIGN HISTORY
5 DOCUMENTS AND OTHER DESIGN SKETCHBOOKS AND DESIGN
6 DOCUMENTS.

7 HE IS NOT IN BUSINESS RIGHT NOW OF
8 DESIGNING HARDWARE. HE'S NOT DOING ANY CONSULTING
9 RELATING TO THAT. AND APPLE QUESTIONED HIM DURING
10 HIS DEPOSITION REGARDING WHAT HE DOES ACTUALLY DO.

11 THE COURT: SO THE LINE BETWEEN DESIGN
12 AND FUNCTION IS AN ATTRACTIVE ONE, BUT HASN'T YOUR
13 OWN WITNESS SUGGESTED THAT'S PRETTY BLURRY WHEN YOU
14 GET DOWN TO SPECIFIC INSTANCES OF WHETHER SOMEONE
15 SHOULD LOOK AT THE DOCUMENT OR NOT?

16 MS. MAROULIS: YOUR HONOR, WHEN I SAY I'M
17 NOT GOING TO SHOW HIM TECHNICAL DOCUMENTS, WE WILL
18 NOT SHOW HIM THE GUTS OF THE FILM.

19 HOW ONE -- IN THAT, THE MULTITOUCH
20 SYSTEM, HOW ONE DEALS WITH THE TOUCH SCREEN
21 TECHNOLOGY. WHAT HE WAS TALKING ABOUT THE FUNCTION
22 IS THAT DEPENDING WHERE YOU PLACE THE SPEAKERS
23 DICTATE THE FACT WHERE YOUR EAR IS. THAT'S A
24 FUNCTIONAL ARGUMENT BUT IT DOESN'T REQUIRE HIM TO
25 GO TO THE SOURCE CODE WHEN YOU HAVE THE ASPECTS OF

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CERTIFICATE OF REPORTER

I, THE UNDERSIGNED OFFICIAL COURT
REPORTER OF THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA, 280 SOUTH
FIRST STREET, SAN JOSE, CALIFORNIA, DO HEREBY
CERTIFY:

THAT THE FOREGOING TRANSCRIPT,
CERTIFICATE INCLUSIVE, CONSTITUTES A TRUE, FULL AND
CORRECT TRANSCRIPT OF MY SHORTHAND NOTES TAKEN AS
SUCH OFFICIAL COURT REPORTER OF THE PROCEEDINGS
HEREINBEFORE ENTITLED AND REDUCED BY COMPUTER-AIDED
TRANSCRIPTION TO THE BEST OF MY ABILITY.

SUMMER A. FISHER, CSR, CRR
CERTIFICATE NUMBER 13185