

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 MELISSA N. CHAN
 IN SUPPORT OF SAMSUNG'S
 OPPOSITION TO APPLE'S MOTION
 FOR PROTECTIVE ORDER
 REGARDING SAMSUNG'S FIRST RULE
 30(b)(6) DEPOSITION NOTICE**

Date: January 19, 2012

Time: 10:00 am

Place: Courtroom 5, 4th Floor

Judge: Hon. Paul S. Grewal

26

27

28

1 I, Melissa N. Chan, declare:

2 1. I am an attorney at Quinn Emanuel Urquhart & Sullivan, LLP, counsel for
3 Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung
4 Telecommunications America, LLC (collectively, "Samsung"). I am licensed to practice law in
5 the State of California. I submit this declaration in support of Samsung's Opposition to Apple's
6 Motion for Protective Order Regarding Samsung's First Rule 30(b)(6) Deposition Notice. I have
7 personal knowledge of the facts set forth in this declaration and, if called upon as a witness, I
8 could and would testify to the following facts.
9

10 2. Attached hereto as Exhibit A is a true and correct copy of Samsung's First Rule
11 30(b)(6) Notice to Apple Inc., served on December 14, 2011.

12 3. On December 21, 2011, the parties held a non-lead counsel meet and confer
13 session. During the session, Samsung asked Apple if it would agree to schedule a date or
14 produce witnesses to testify on the topics listed in its notice. Apple responded by saying that
15 because it thought Samsung's notice was oppressive, overly broad, and burdensome, it would not
16 produce any witnesses unless Samsung withdrew its notice and served another one. Samsung
17 asked Apple to explain which topics it felt were overly broad, and invited Apple to propose a
18 scope that Apple felt was reasonable. Apple refused to explain its position or make any proposal,
19 other than again insisting that Samsung withdraw its notice in its entirety.
20

21 4. Attached hereto as Exhibit B is a true and correct copy of a December 27, 2011
22 letter from Apple's counsel to Samsung's counsel.
23

24 5. Attached hereto as Exhibit C is a true and correct copy of a December 31, 2011
25 letter from Samsung's counsel to Apple's counsel.

26 6. Attached hereto as Exhibit D is a true and correct copy of a January 3, 2012 letter
27 from Samsung's counsel to Apple's counsel.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

7. Apple did not respond in writing to either of Samsung's letters.

8. On January 5, 2012, the parties held a lead counsel meet and confer session, during which Samsung's first 30(b)(6) notice was discussed. The parties failed to make any progress because Apple refused to propose anything other than reiterating its demand for Samsung to withdraw its entire notice.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed in Redwood Shores, California on January 17, 2012.

/s/ Melissa N. Chan

Melissa N. Chan

