

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Charles K. Verhoeven (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 (Bar No. 177129)

kevinjohnson@quinnemanuel.com

6 Victoria F. Maroulis (Bar No. 202603)

victoriamaroulis@quinnemanuel.com

7 555 Twin Dolphin Drive, 5th Floor

Redwood Shores, California 94065-2139

8 Telephone: (650) 801-5000

Facsimile: (650) 801-5100

10 Michael T. Zeller (Bar No. 196417)

michaelzeller@quinnemanuel.com

11 865 S. Figueroa St., 10th Floor

Los Angeles, California 90017

12 Telephone: (213) 443-3000

Facsimile: (213) 443-3100

14 Attorneys for SAMSUNG ELECTRONICS CO.,

LTD., SAMSUNG ELECTRONICS AMERICA,

15 INC. and SAMSUNG

TELECOMMUNICATIONS AMERICA, LLC

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

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,

LLC, a Delaware limited liability company,

26 Defendant.

CASE NO. 11-cv-01846-LHK

**MOTION TO SHORTEN TIME
FOR BRIEFING AND HEARING ON
SAMSUNG'S MOTION FOR LEAVE TO
SUPPLEMENT INFRINGEMENT
CONTENTIONS**

1
2 Pursuant to Civil L.R. 6-3, Defendants Samsung Electronics Co. Ltd., Samsung Electronics
3 America, Inc., and Samsung Telecommunications America, LLC (collectively, "Samsung")
4 hereby bring this motion to shorten time for the briefing and hearing schedule on Samsung's
5 Motion for Leave to Supplement its Infringement Contentions. Specifically, Samsung requests
6 that:

7 1. Apple's Opposition to Samsung's concurrently filed Motion for Leave to
8 Supplement Infringement Contentions be filed on Friday, January 27, 2012;

9 2. Samsung's Reply be filed on Monday, January 30, 2012;

10 3. The hearing on Samsung's Motion take place on Thursday, February 2, 2012 at
11 1:30 p.m., or such other time thereafter as the Court may calendar.

12 Shortened time is necessary because the relief requested, the addition of the iPhone 4S to
13 Samsung's infringement contentions, -needs to occur soon to give the parties the opportunity to
14 conduct written and fact discovery on the Apple device. Samsung sought a negotiated agreement
15 regarding inclusion of the iPhone 4S since November 22, 2011; however, Apple has reneged on an
16 agreement reached by the parties on January 4, 2012. Despite Samsung's good faith effort,
17 additional attempts at a negotiated settlement have not been productive.

18 If Samsung's Motion for Leave to Supplement its Infringement Contentions were decided
19 according to the schedule contemplated by the Local Rules, Apple's opposition would not be due
20 until February 7, Samsung's Reply until February 16, and the earliest Samsung could notice a
21 hearing is March 1. Moreover, the Court informed both parties at the conclusion of the Markman
22 Hearing that the earliest available hearing date was in May.

23 Finally, the issue to be decided is not complex and may reasonably be briefed and heard in
24 the time allotted. Thus, Samsung respectfully requests that the court decide this matter on a
25 shortened schedule.

26 Counsel for Samsung contacted Apple on January 24, 2012 and requested that it stipulate
27 to a shortened briefing schedule on its Motion for Leave to Supplement its Infringement
28 Contentions. Apple declined this request. Briggs Decl. ¶¶ 1, 2; Ex. A.

1 **CONCLUSION**

2 Samsung has shown good cause why the Court should grant this Motion. For the
3 foregoing reasons, Samsung respectfully requests that the Court grant Samsung's

4 Motion to Shorten Time for Briefing and Hearing on Samsung's Motion for Leave to
5 Supplement its Infringement Contentions.
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8

9 January 24, 2012

10 QUINN EMANUEL URQUHART &
11 SULLIVAN, LLP

12 By /s/ Victoria F. Maroulis

13 Charles K. Verhoeven
14 Kevin P.B. Johnson
15 Victoria F. Maroulis
16 Michael T. Zeller

17 Attorneys for SAMSUNG ELECTRONICS CO.,
18 LTD., SAMSUNG ELECTRONICS AMERICA,
19 INC., and SAMSUNG
20 TELECOMMUNICATIONS AMERICA, LLC
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