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 11 Attorneys for Plaintiff and  
 Counterclaim-Defendant APPLE INC.

12  
 13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN JOSE DIVISION

16  
 17 APPLE INC., a California corporation,  
 18 Plaintiff,  
 19 v.  
 20 SAMSUNG ELECTRONICS CO., LTD., A  
 Korean business entity; SAMSUNG  
 21 ELECTRONICS AMERICA, INC., a New York  
 corporation; SAMSUNG  
 22 TELECOMMUNICATIONS AMERICA, LLC, a  
 Delaware limited liability company.,  
 23 Defendants.

Case No. 11-cv-01846-LHK (PSG)

**APPLE’S MOTION TO SHORTEN  
 TIME FOR BRIEFING AND  
 HEARING ON APPLE’S MOTION  
 TO COMPEL TIMELY  
 PRODUCTION OF FOREIGN-  
 LANGUAGE AND OTHER  
 DOCUMENTS IN ADVANCE OF  
 RELATED DEPOSITIONS**

Date: February 1, 2012  
 Time: 10:00 a.m.  
 Place: Courtroom 5, 4th Floor  
 Judge: Hon. Paul S. Grewal

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**NOTICE OF MOTION AND MOTION**

TO: DEFENDANTS AND THEIR ATTORNEY OF RECORD:

PLEASE TAKE NOTICE that Plaintiff Apple Inc. (“Apple”) hereby moves the Court, pursuant to Civil Local Rules 6-1(b) and 6-3, to shorten time for briefing and hearing on its accompanying Motion to Compel Timely Production of Foreign-Language and Other Documents in Advance of Related Depositions (“Motion”). Specifically, Apple requests that:

- 1) Samsung’s opposition to the Motion be filed by January 31, 2012 at 12:00 p.m.;
- and
- 2) The hearing take place on or about February 1, 2012 at 10:00 a.m.

This motion is based on this notice of motion and supporting memorandum of points and authorities, the supporting Declaration of Mia Mazza, and such other written or oral argument as may be presented at or before the time this motion is taken under submission by the Court.

Dated: January 27, 2012

MORRISON & FOERSTER LLP

By:           /s/ Michael A. Jacobs            
MICHAEL A. JACOBS

Attorneys for Plaintiff  
APPLE INC.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 In accordance with Civil Local Rules 6-1(b) and 6-3, Apple moves the Court to shorten  
3 time for the briefing and hearing schedule for its Motion to Compel Timely Production of  
4 Foreign-Language and Other Documents in Advance of Related Depositions (“Motion to  
5 Compel”). Specifically, Apple requests that:

6 1) Samsung’s opposition to the Motion to Compel be filed no later than January 31,  
7 2012 at 12:00 p.m.;

8 2) The hearing take place on or about February 1, 2012 at 10:00 a.m.

9 If this Motion to Shorten Time is granted, Apple agrees to waive its right to submit a reply  
10 memorandum in support of its Motion to Compel.

11 The shortened briefing and hearing schedule is necessary because Apple expects to depose  
12 more than 40 Samsung witnesses in Korea in the next month, on nearly a daily basis between  
13 February 2 and March 2 (often with multiple depositions per day). (Declaration of Mia Mazza in  
14 Support of Apple’s Motion to Shorten Time (“Mazza Decl.”) ¶ 2.) As detailed in Apple’s Motion  
15 to Compel, Samsung has gone from producing no documents to dumping tens of thousands of  
16 pages—mostly in Korean—on the eve of each deposition. For example, Samsung produced more  
17 than 44,000 pages of Ah Young Kim’s Korean-language materials less than two days before the  
18 deposition of that witness, including 3,069 pages 40 minutes after the deposition began. (*Id.* at  
19 ¶ 3.)

20 Due to the requirement of translation it takes roughly twice as long to review Korean-  
21 language documents and use them in preparation for deposition as it takes to review and use  
22 English-language documents. (*Id.* at ¶ 4; *see also* Decl. of Mia Mazza In Support of Apple’s  
23 Motion to Compel Timely Production of Foreign-Language and Other Documents in Advance of  
24 Related Depositions.) Apple has no expectation that Samsung’s abusive and prejudicial practice  
25 will stop absent a Court order.

26 Apple’s Motion to Compel seeks timely production of each witness’s relevant documents  
27 in advance of the witness’s deposition, to allow Apple an adequate opportunity to prepare for and  
28 use all relevant documents. Without an expedited briefing and hearing schedule, it is likely that

1 the Motion to Compel will not be heard and ruled on until all or nearly all of the remaining  
2 Samsung witness depositions have been completed. That would effectively moot Apple's Motion  
3 to Compel.

4 Apple has filed the Motion to Compel at its earliest opportunity after satisfying the lead  
5 trial counsel meet and confer requirement. Samsung has not proposed an alternative expedited  
6 schedule, and did not accept Apple's request to stipulate to the schedule proposed by Apple.  
7 (Mazza Decl. ¶ 5.)

8 **CONCLUSION**

9 For the foregoing reasons, Apple respectfully requests that the Court grant Apple's  
10 Motion to Shorten Time for Briefing and Hearing on Apple's Motion to Compel Timely  
11 Production of Foreign-Language and Other Documents in Advance of Related Depositions.

12  
13 Dated: January 27, 2012

MORRISON & FOERSTER LLP

14  
15 By: /s/ Michael A. Jacobs  
MICHAEL A. JACOBS

16 Attorneys for Plaintiff  
17 APPLE INC.  
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