

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

**SAMSUNG’S MOTION TO SHORTEN
 TIME FOR BRIEFING AND HEARING
 ITS MOTION TO PERMIT SAMUEL
 LUCENTE TO REVIEW MATERIALS
 DESIGNATED UNDER THE
 PROTECTIVE ORDER**

1 Defendants Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., and
2 Samsung Telecommunications America, LLC (collectively, “Samsung”) bring this motion to
3 shorten time for briefing and hearing Samsung’s Motion to Permit Its Expert Samuel Lucente to
4 Review Materials Designated Under the Protective Order (the “Motion to Permit”).

5 Specifically, Samsung requests that:

- 6 1. Apple’s opposition to the Motion to Permit be filed by Friday, February 3, 2012
- 7 2. Samsung's reply be filed by Monday, February 6, 2012 at 10:00 a.m.
- 8 3. The hearing be set for Tuesday, February 7, 2012 at 10:00 a.m.

9 The shortened schedule is necessary because if it were set according to the local rules, the
10 hearing on Samsung’s Motion to Permit would not occur until March 6, 2012. The parties' initial
11 expert reports are due by March 22, 2012, however, and Samsung needs to begin showing Apple's
12 highly confidential documents, including inventor deposition transcripts, to Mr. Lucente well
13 before March 6. *Apple has even agreed to the above schedule*, with the exception that it would
14 not stipulate to Samsung's having a chance to reply. (See Arnold Decl., Exs. A & B.)
15 Moreover, the Court will already be hearing argument from the parties on Tuesday morning,
16 February 7, regarding Apple's pending motion to compel, which also was set on shortened time.
17 (See Dkt No. 688.)

18 Finally, Samsung notes that it would normally waive any right to a reply when a matter is
19 set on shortened time, but this is a unique situation. Despite two lead counsel meet and confers
20 and numerous letters sent to Apple on this issue, Samsung still does not know the reasons behind
21 Apple's objection to Mr. Lucente based on patents that Mr. Lucente invented in the 1990s. Thus,
22 no matter what argument Apple raises in its opposition to explain how Apple's business will suffer
23 serious harm by disclosure of its allegedly highly confidential documents to Mr. Lucente, it will be
24 the first time Samsung sees such an explanation. Samsung therefore respectfully requests
25 permission to file a short reply before the issue is submitted to the Court for oral argument.
26 Indeed, Samsung may need to provide a declaration from Mr. Lucente to clarify certain issues for
27 the Court depending on Apple’s arguments.

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

This shortened schedule would not affect any other deadlines in the case.

DATED: January 30, 2011

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By /s/ Michael T. Zeller
Charles K. Verhoeven
Kevin P.B. Johnson
Victoria F. Maroulis
Michael T. Zeller
Rachel Herrick Kassabian
Attorneys for SAMSUNG ELECTRONICS CO.,
LTD., SAMSUNG ELECTRONICS AMERICA,
INC., and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC

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

General Order 45 Attestation

I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to e-file this Declaration. In compliance with General Order 45(X)(B), I hereby attest that Michael Zeller has concurred in this filing.

/s/ Victoria Maroulis