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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,

CASE NO. 11-cv-01846-LHK

19 Plaintiff,

**DECLARATION OF BRETT ARNOLD IN  
 SUPPORT OF SAMSUNG'S MOTION TO  
 SHORTEN TIME FOR BRIEFING AND  
 HEARING**

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.  
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1 I, Brett Arnold, declare:

2 1. I am an associate in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,  
3 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung  
4 Telecommunications America, LLC (collectively, "Samsung") in this action. Unless otherwise  
5 indicated, I have personal knowledge of the facts set forth in this declaration and, if called upon as  
6 a witness, I could and would testify as follows.

7 2. The relief requested in Samsung's Motion to Shorten Time for Briefing and  
8 Hearing Its Motion to Permit Samuel Lucente to Review Materials Designated Under the  
9 Protective Order is necessary to allow Samsung to begin disclosing Apple's highly confidential  
10 documents and things to Mr. Lucente well in advance of the March 22, 2012 deadline for initial  
11 expert reports.

12 3. Counsel for Apple agreed to a shortened briefing and hearing schedule where  
13 Apple's opposition brief would be due on Friday, February 3, 2012, and the motion would be  
14 heard by the Court on Tuesday, February 7, 2012. Attached as **Exhibit A** is a true and correct  
15 copy of a January 30, 2012 letter from counsel for Apple to counsel for Samsung confirming this  
16 schedule at the end of page 2.

17 4. The only portion of the shortened schedule not agreed to by Apple was Samsung's  
18 request to file a reply brief. Attached as **Exhibit B** is a true and correct copy of a January 30,  
19 2012 email exchange between counsel for Samsung and counsel for Apple. In the exchange,  
20 counsel for Samsung indicated that Samsung had yet to learn what Apple's concerns were with  
21 Mr. Lucente's patent ownership and had not received any proposal from Apple to address those  
22 concerns. In light of this, counsel for Samsung requested the chance to file a short reply on  
23 Monday morning, to address any concerns Apple includes in its opposition. Counsel for Apple  
24 denied this request.

25 5. Pursuant to L.R. 6-3(a)(5), previous time modifications in the case, whether by  
26 stipulation or Court order, include the following:

27 A. On April 26, 2011, the Court granted Apple's motion to shorten time for  
28 briefing and hearing on its motion to expedite discovery. (Dkt No. 26.)

- 1 B. On May 9, 2011, Apple and Samsung stipulated and agreed that the time for  
2 Samsung to serve responsive pleadings pursuant to Rule 12(a) shall be 75  
3 days after April 21, 2011. On May 10, 2011, the Court signed the  
4 Stipulation and Order regarding an extension of time for Samsung to serve  
5 responsive pleadings. (Dkt No. 40.)
- 6 C. On June 1, 2011, the Court granted in part Samsung's request to shorten  
7 time for hearing and briefing on Samsung's Motion to Compel Reciprocal  
8 Expedited Discovery. (Dkt No. 59.)
- 9 D. On July 18, 2011 the Court ordered a briefing schedule related to expedited  
10 discovery and Apple's motion for a preliminary injunction, setting dates  
11 from July 2011 through the October 13, 2011 hearing on Apple's Motion  
12 for Preliminary Injunction. (Dkt No. 115.)
- 13 E. On July 21, 2011, the Court granted the parties' stipulation to extend the  
14 time for briefing Samsung's Motion to Disqualify Counsel Bridges &  
15 Mavrakakis, LLP. (Dkt No. 125.)
- 16 F. On September 1, 2011 the Court granted Samsung's stipulated motion to  
17 expedite briefing on Samsung's Motion to Compel Apple to Produce  
18 Documents and Things. (Dkt No. 199)
- 19 G. On September 6, 2011 the Court granted Apple's stipulated motion to  
20 extend time for Apple to respond to Samsung's Motion to Exclude the  
21 Ordinary Observer Opinions of Apple Expert Cooper Woodring. (Dkt No.  
22 210.)
- 23 H. On September 20, 2011, the Court granted Samsung's unopposed motion to  
24 change the hearing date on its motion to dismiss. (Dkt No. 244.)
- 25 I. On September 23, 2011, the Court granted Apple's motion to shorten time  
26 to expedite briefing on Apple's motion to compel. (Dkt No. 255.)  
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- 1 J. On October 3, 2011, the Court granted-in-part Samsung's motion to shorten  
2 the briefing and hearing schedule on Samsung's motion to compel. (Dkt  
3 No. 287.)
- 4 K. On October 27, 2011, the Court granted Apple's motion to shorten time for  
5 the briefing and hearing schedule for its motion for a protective order.  
6 (Dkt No. 332.)
- 7 L. On October 31, 2011, the Court granted Samsung's motion to shorten the  
8 briefing and hearing schedule on Samsung's motion to compel. (Dkt No.  
9 350.)
- 10 M. On December 9, 2011, the Court granted Apple's motion to shorten time for  
11 briefing and hearing on Apple's motion to compel. (Dkt No. 477.)
- 12 N. On December 13, 2011, the Court granted Samsung's motion to shorten  
13 time for briefing and hearing on Samsung's motion to compel. (Dkt. No.  
14 499).
- 15 O. On December 22, 2011, the Court granted Apple's motion to shorten time  
16 for briefing and hearing on Apple's motion to strike. (Dkt. No. 538).
- 17 P. On December 30, 2011, the Court granted Samsung's motion to shorten  
18 time for briefing on Samsung's motion to extend time. (Dkt No. 566.)
- 19 Q. On January 4, 2012, the Court granted the parties' stipulated request to  
20 enlarge the time for Samsung to file objections to the Court's Order at  
21 docket number 535. (Dkt No. 571.)
- 22 R. On January 11, 2012, the Court granted the parties' stipulated request to  
23 shorten the time for briefing and hearing the parties' discovery motions.  
24 (Dkt No. 610.)
- 25 S. On January 30, 2012, the Court granted in part Apple's request shorten the  
26 briefing and hearing schedule on its motion to compel. (Dkt No. 688.)

27 6. The present request will not affect any other deadlines in this case.

28 I declare under penalty of perjury that the foregoing is true and correct. Executed in

1 Redwood Shores, California on January 30, 2012.

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/s/ Brett Arnold

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