

Exhibit M

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE, INC.,) CV-11-1846-LHK
)
PLAINTIFF,) SAN JOSE, CALIFORNIA
)
VS.)
) JANUARY 19, 2012
SAMSUNG ELECTRONICS, CO.,)
LTD., ET AL,)
) PAGES 1-276
DEFENDANT.)

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE PAUL S. GREWAL
UNITED STATES DISTRICT JUDGE

A P P E A R A N C E S:

FOR THE PLAINTIFF: MORRISON & FOERSTER, LLP
BY: MICHAEL JACOBS
JASON BARTLETT
HAROLD MCELHINNY
MIA MAZZA
425 MARKET STREET, 34TH FL
SAN FRANCISCO, CA 94105

FOR THE DEFENDANT: QUINN EMANUEL
BY: DIANE HUTNYAN
865 S. FIGUEROA ST., 10TH FL
LOS ANGELES, CA 90017

(APPEARANCES CONTINUED ON THE NEXT PAGE)

OFFICIAL COURT REPORTER: SUMMER FISHER, CSR, CRR
CERTIFICATE NUMBER 13185

1 SAN JOSE, CALIFORNIA

JANUARY 19, 2012

2 P R O C E E D I N G S

3 (WHEREUPON, COURT CONVENEED AND THE
4 FOLLOWING PROCEEDINGS WERE HELD:)

5 THE COURT: MR. RIVERA, WOULD YOU CALL
6 THE NEXT MATTER ON THIS MORNING'S CALENDAR.

7 THE CLERK: YES, YOUR HONOR.

8 CALLING APPLE, INC. VERSUS SAMSUNG
9 ELECTRONICS. CASE NUMBER CV-11-1846.

10 MATTER ON FOR APPLE AND SAMSUNG DISCOVERY
11 MOTIONS.

12 COUNSEL, PLEASE STATE YOUR APPEARANCES.

13 MR. JACOBS: MICHAEL JACOBS FROM MORRISON
14 & FOERSTER, YOUR HONOR, FOR APPLE.

15 WITH ME FROM MORRISON & FOERSTER IS
16 JASON BARTLETT, HAROLD MCELHINNY AND MIA MAZZA AT
17 COUNSEL TABLE.

18 THE COURT: GOOD MORNING, COUNSEL.

19 MR. WALDEN: GOOD MORNING, YOUR HONOR.

20 FROM WILMER HALE, MARK SELWYN. AND WITH
21 ME TODAY IS MY PARTNER CALVIN WALDEN ALSO OF WILMER
22 HALE.

23 THE COURT: GOOD MORNING AS WELL.

24 MS. MAROULIS: GOOD MORNING, YOUR HONOR.

25 VICTORIA MAROULIS, WITH QUINN EMANUEL,

1 BUT I WILL SAY WE DON'T THINK APPLE'S
2 MOTIONS NEED TO BE HEARD ON A SHORTENED PERIOD OF
3 TIME, BUT IT WOULD NOT BE PRODUCTIVE TO OPPOSE THEM
4 GIVEN THE PRIOR ORDERS OF THE COURT.

5 THE COURT: I'LL NOTE APPLE'S MOTIONS
6 AREN'T THE ONLY ONES BEFORE ME THIS MORNING.

7 MS. KASSABIAN: THAT'S WHERE THE DOG PILE
8 EFFECT -- WE ARE EQUALLY AT FAULT.

9 THE COURT: I ONLY NOTE ALL OF THIS TO
10 MAKE A PRETTY SIMPLE POINT. MY TIME IS YOUR TIME.

11 I'M HERE TO DO WHAT I CAN TO RESOLVE
12 THESE DISPUTES AND I'M FRANKLY INTERESTED, AS A LOT
13 OF YOU KNOW, WITH THESE ISSUES, BUT THERE IS A COST
14 HERE IMPOSED ON THESE PARTIES, A SERIOUS COST.

15 I'M STRUCK BY THE IMPACT OF THIS TYPE OF
16 PRACTICE ON ALL OF THE CIVIL RIGHTS, SOCIAL
17 SECURITY AND OTHER PARTIES IN CASES THAT I HAVE
18 PENDING BEFORE ME. AND I JUST THINK IT'S WORTHY OF
19 NOTING ON THE RECORD THAT THIS TYPE OF PILE ON OR
20 DOG PILE DOES HAVE COSTS THAT EXTEND BEYOND THE
21 PARTIES AND THE COURT AND IT'S UNFORTUNATE THAT
22 OTHER PEOPLE HAVE TO BEAR THOSE COSTS.

23 ALL RIGHT. WELL, LET'S TURN TO THE
24 MATTERS AT HAND.

25 I WON'T PRETEND TO HAVE ANY TYPE OF

1 MR. JACOBS: WE INFERRED FROM THE
2 SCHEDULE JUDGE KOH ENTERED AND FROM YOUR HONOR'S
3 EARLIER GRANTS OF MOTIONS TO EXPEDITE THAT
4 YOUR HONOR WAS MORE THAN -- NOT JUST OPEN, BUT IN A
5 AWAY KIND OF SAYING LOOK, LET'S GET THESE TEED UP,
6 LET'S GET THEM DECIDED, LET'S NOT PUT THEM ON THE
7 ORDINARY TRACK BECAUSE IF WE DO THAT IT WILL BE A
8 MONTH AND A HALF OUT.

9 THE COURT: THAT'S BEFORE I KNEW THERE
10 WERE NINE OF THEM IN THE CUE AND MORE TO COME.

11 MR. JACOBS: THAT'S WHY I'M GOING.

12 WE REALLY WANT TO DO THIS IN A WAY THAT
13 RESPECTS THE LIMITED THROUGHPUT OF THIS
14 INSTITUTION, THAT WE -- THAT DOESN'T GET CROSSWISE
15 WITH YOU, BECAUSE WE ARE HIGHLY DEPENDENT ON YOU,
16 FRANKLY, TO GET THE DISCOVERY WE NEED.

17 BUT I DON'T WANT TO JUST READ SIGNALS
18 THAT YOUR HONOR MIGHT HAVE BEEN SENDING ABOUT NO, I
19 DON'T WANT ANY MORE EXPEDITED MOTIONS.

20 CAN YOU GIVE US ANY GUIDANCE ON HOW YOU
21 WANT US TO PROCEED OVER THE SIX NEXT SIX OR
22 SEVEN WEEKS?

23 THE COURT: WELL, WE SHOULD SPEAK TO THE
24 SUBJECT, MS. MAROULIS, I DON'T WANT TO DEPRIVE YOU
25 OF AN EQUAL OPPORTUNITY.

1 MS. MAROULIS: WE NEED TO DO WHAT WORKS
2 FOR THE COURT.

3 IN THE PAST WE AT SAMSUNG WERE NOT
4 SEEKING EXPEDITED RELIEF. EVERY SINGLE MOTION
5 APPLE FILED WAS AN EXPEDITED -- EXCUSE ME.

6 SO TO AVOID HAVING TWO DIFFERENT TRACKS,
7 WHERE THEIR MOTIONS ARE HEARD WELL BEFORE OURS IN
8 THE SENSE WE HAD TO JOIN THE EXPEDITED SCHEDULE.

9 BUT IF THERE'S A PERIOD WHERE ALL OUR
10 MOTIONS ARE HEARD, I THINK WE CAN LIVE WITH THAT.

11 THE COURT: WELL LET ME, TO ADDRESS THE
12 ISSUE YOU BOTH HAVE SPOKEN TO, LET ME JUST SAY
13 THIS.

14 I HAVE STRUGGLED IN THIS CASE LIKE NO
15 OTHER IN CONSTRUCTING A PROCEDURE THAT WOULD ALLOW
16 ME TO ADDRESS YOUR DISPUTES EFFICIENTLY AND
17 REASONABLY GIVEN MY OTHER DEMANDS.

18 AND I HAVE RESISTED THE APPROACH THAT A
19 NUMBER OF MY COLLEAGUES HAVE ADOPTED IN THIS
20 DISTRICT OF LETTER BRIEFING. FRANKLY, MANY OF
21 THESE ISSUES REQUIRE MORE THAN A THREE-PAGE
22 SINGLE-SPACER, IN MY VIEW.

23 IF THAT TYPE OF APPROACH IN YOUR MIND
24 WOULD ALLOW YOU TO FRAME THE ISSUES AND GET THEM
25 TEED UP IN AN EFFICIENT WAY, I'M OPEN TO IT.

1 IF YOU CAN REACH AN AGREEMENT TO
2 SOMETHING LIKE MY COLLEAGUES DO, I'M CERTAINLY
3 WILLING TO CONSIDER IT. BUT FRANKLY, I WAS
4 RELUCTANT TO GO DOWN THAT ROAD OUT OF RESPECT TO
5 YOU TO COMPLETELY AND ADEQUATELY PRESENT THIS TO
6 ME.

7 I CAN'T OFFER ANY MORE GUIDANCE. IF YOU
8 HAVE SOMETHING IN MIND, I WILL HEAR YOU OUT.

9 I WILL SAY IN THE FUTURE IF YOU WANT
10 EXPEDITED RELIEF, I WOULD APPRECIATE YOU TELLING ME
11 EXACTLY WHAT YOU HAD IN MIND IN TERMS OF THE MOTION
12 PRACTICE THAT WOULD FOLLOW SO I'M NOT SURPRISED BY
13 THE VOLUME. THAT WOULD CERTAINLY ASSIST ME.

14 MR. JACOBS: THAT'S VERY HELPFUL,
15 YOUR HONOR, THANK YOU.

16 THE COURT: IS THERE ANYTHING ELSE I CAN
17 DO FOR YOU THIS AFTERNOON?

18 IF NOT, I WILL WISH YOU ALL A GOOD DAY.
19 THANK YOU.

20 MS. MAROULIS: THANK YOU, YOUR HONOR.

21 THE CLERK: COURT IS ADJOURNED.

22 (WHEREUPON, THE PROCEEDINGS IN THIS
23 MATTER WERE CONCLUDED.)

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CERTIFICATE OF REPORTER

I, THE UNDERSIGNED OFFICIAL COURT
REPORTER OF THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF CALIFORNIA, 280 SOUTH
FIRST STREET, SAN JOSE, CALIFORNIA, DO HEREBY
CERTIFY:

THAT THE FOREGOING TRANSCRIPT,
CERTIFICATE INCLUSIVE, CONSTITUTES A TRUE, FULL AND
CORRECT TRANSCRIPT OF MY SHORTHAND NOTES TAKEN AS
SUCH OFFICIAL COURT REPORTER OF THE PROCEEDINGS
HEREINBEFORE ENTITLED AND REDUCED BY COMPUTER-AIDED
TRANSCRIPTION TO THE BEST OF MY ABILITY.

SUMMER A. FISHER, CSR, CRR
CERTIFICATE NUMBER 13185