

Exhibit Y

November 1, 2011

Writer's Direct Contact
415.268.6096
WOverson@mofo.com

Via E-Mail

Rachel Kassabian
Kevin Johnson
Victoria Maroulis
Quinn Emanuel
555 Twin Dolphin Drive, 5th Floor
Redwood Shores, CA 94065

Re: *Apple Inc. v. Samsung Elecs. Co. et al.* Case No. 11-cv-1846 LHK (N.D. Cal.)
CONFIDENTIAL—Subject to Protective Order

Dear Rachel, Kevin and Victoria:

This letter concerns Samsung's production of documents pursuant to the Court's September 28th Order. The parties have been discussing this issue for several weeks now. While some of the issues have been resolved, Samsung has refused to supplement its production and to provide pertinent information about its collection practices. As your latest letter of October 25th confirms, Samsung is unwilling to change its position on the following issues:

- Samsung concedes that its search for survey documents was limited to U.S. marketing documents even though the Court's September 28th Order contains no such limitation. Samsung has refused to search for other documents responsive to the Court's Order and has instead chosen to re-argue its objections to Apple's original requests. (*See* Letter from Kassabian to Overson dated Oct. 25, 2011.)
- Even though the Court's Order specifically requires Samsung to produce documents from the files of individuals responsible for survey documents, Samsung's disclosure statement does not list any such individual. Samsung has so far refused to identify the individuals whose files were searched for this category of documents. (*Id.*) Apple is entitled to know the answer to this question to determine whether Samsung has complied with the Court's Order.
- The Court's Order requires Samsung to produce documents that reference Apple's products. As we have previously indicated to you, there is no reason why

November 1, 2011

Page Two

Samsung's designers and developers would use the term "Apple" except in reference to Apple's products. Indeed, Samsung stopped using the search term "Apple" precisely because the search produced several "hits." This decision ensured that Samsung would not produce all pertinent documents. Please produce all responses to this search.

In response, Samsung has demanded that Apple provide you "with a complete list of all of the search terms Apple 'sampled,' ...along with an explanation of why those terms were rejected." (*See* Letter from Jenkins to Overson dated Oct. 12, 1011.) As I have stated previously, it is improper for you to make Samsung's compliance with the Court's Order contingent on Apple's response to your requests. In any event, your request goes far beyond anything Apple is requesting from you, and we have already provided you with the search terms that the Court ordered us to provide.

- Samsung's disclosure statement does not explain why Samsung used a different method to search through the files of its hardware designers. So far, Samsung has refused to explain this difference or state why this method was appropriate.

We will discuss these topics with you tomorrow on our meet and confer. If we are unable to resolve them, then we will need to schedule a lead counsel, in-person meet and confer session.

Best regards,

/s/

Wesley E. Overson