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 14 Attorneys for SAMSUNG ELECTRONICS CO.,
 LTD., SAMSUNG ELECTRONICS AMERICA,
 15 INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC

16
 17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

19
 20 APPLE INC., a California corporation,

21 Plaintiff,

22 vs.

23 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 24 ELECTRONICS AMERICA, INC., a New
 York corporation; SAMSUNG
 25 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,

26 Defendant.
 27

CASE NO. 11-cv-01846-LHK (PSG)

**DECLARATION OF RACHEL HERRICK
 KASSABIAN IN SUPPORT OF
 SAMSUNG'S OPPOSITION TO APPLE'S
 MOTION TO COMPEL**

Date: March 6, 2012
 Time: 10:00 a.m.
 Place: Courtroom 5, 4th Floor
 Judge: Hon. Paul S. Grewal

1 I, Rachel Herrick Kassabian, declare as follows:

2 1. I am a partner 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”). I submit this declaration in
5 support of Samsung’s Opposition to Apple’s Motion to Compel Time Production of Foreign-
6 Language and Other Documents in Advance of Related Depositions (“Apple’s Motion to
7 Compel”). I have personal knowledge of the facts set forth in this declaration, except as
8 otherwise noted, and, if called upon as a witness, I could and would testify thereto.

9 2. I am informed and believe that depositions have been occurring in this lawsuit
10 since at least July 2011, and the depositions of Samsung’s Korea-based witnesses have been
11 occurring since at least November 2011.

12 3. During a meet and confer between the parties on September 23, 2011, it was
13 counsel for Samsung who first raised the issue of a “five-day rule” for producing documents in
14 advance of inventor productions. Apple initially refused to agree to anything more than a four-
15 day rule, despite knowing that the majority of Samsung’s inventors were Korean.

16 4. In late 2011, Apple noticed 37 individual depositions. Samsung offered to begin
17 the depositions during the month of December 2011, but Apple refused.

18 5. As of the date of this declaration, I am informed and believe that Apple has
19 served at least 90 deposition notices of Samsung’s current and former employees, and has
20 deposed an additional 25 inventors for Samsung’s patents-in-suit.

21 6. Since the Court’s December 22, 2011 Order setting the “three-day rule” for the
22 production of documents relating to depositions, Apple has served 58 individual notices of
23 deposition. Thirty-eight of those notices—nearly all targeting Samsung witnesses in Korea—
24 were served before Apple filed its Motion to Compel.

25 7. Apple has served deposition notices for many senior executives at Samsung,
26 including Dale Sohn, the President and CEO of Samsung Telecommunications America; Gee
27 Sung Choi, the Chairman and CEO of Samsung Electronics Co.; and Jong Kyu Shin, the
28 President of the Mobile Communications division of Samsung Electronics Co.

1 in advance of the Park deposition. Samsung offered to reschedule Mr. Park's deposition to
2 avoid a dispute, but Apple elected not to do so.

3 13. In response to Apple's demand, Samsung engineer Wookyun Kho has agreed to
4 sit for a second day of deposition on March 4, 2012, which will be nearly two months after his
5 custodial documents were produced.

6 I declare under penalty of perjury under the laws of the United States of America that the
7 foregoing is true and correct.

8 Executed on February 15, 2012, at San Francisco, California.

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Rachel Herrick Kassabian

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