

1 HAROLD J. MCELHINNY (CA SBN 66781)
 hmcclhinny@mofo.com
 2 MICHAEL A. JACOBS (CA SBN 111664)
 mjacobs@mofo.com
 3 JENNIFER LEE TAYLOR (CA SBN 161368)
 jtaylor@mofo.com
 4 ALISON M. TUCHER (CA SBN 171363)
 atucher@mofo.com
 5 RICHARD S.J. HUNG (CA SBN 197425)
 rhung@mofo.com
 6 JASON R. BARTLETT (CA SBN 214530)
 jasonbartlett@mofo.com
 7 MORRISON & FOERSTER LLP
 425 Market Street
 8 San Francisco, California 94105-2482
 Telephone: (415) 268-7000
 9 Facsimile: (415) 268-7522

WILLIAM F. LEE
 william.lee@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 60 State Street
 Boston, MA 02109
 Telephone: (617) 526-6000
 Facsimile: (617) 526-5000

MARK D. SELWYN (SBN 244180)
 mark.selwyn@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 950 Page Mill Road
 Palo Alto, California 94304
 Telephone: (650) 858-6000
 Facsimile: (650) 858-6100

11 Attorneys for Plaintiff and
 12 Counterclaim-Defendant APPLE INC.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

17 APPLE INC., a California corporation,
 18 Plaintiff,
 19 v.
 20 SAMSUNG ELECTRONICS CO., LTD., a
 21 Korean corporation; SAMSUNG ELECTRONICS
 22 AMERICA, INC., a New York corporation; and
 23 SAMSUNG TELECOMMUNICATIONS
 24 AMERICA, LLC, a Delaware limited liability
 company,
 Defendants.

Case No. 11-cv-01846-LHK (PSG)

**APPLE INC.’S RE-NOTICED
 MOTION TO COMPEL
 DEPOSITIONS OF 14 OF
 SAMSUNG’S PURPORTED “APEX”
 WITNESSES**

Date: March 27, 2012
 Time: 10:00 a.m.
 Place: Courtroom 5, 4th Floor
 Judge: Hon. Paul S. Grewal

1 **NOTICE OF MOTION AND MOTION**

2 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

3 PLEASE TAKE NOTICE that on Tuesday, March 27, 2012, at 10 a.m., or as soon as the
4 matter may be heard by the Honorable Paul S. Grewal in Courtroom 5, United States District
5 Court for the Northern District of California, Robert F. Peckham Federal Building, 280 South 1st
6 Street, San Jose, CA 95113, Apple Inc. (“Apple”) shall and hereby does move the Court for an
7 Order pursuant to Federal Rule of Civil Procedure 37(a) & (d) compelling the depositions of
8 fourteen witnesses whose depositions Samsung Electronics Co., Ltd.’s (“SEC”), Samsung
9 Electronics America, Inc.’s, and Samsung Telecommunications America’s, LLC (collectively,
10 “Samsung”) purport to object to on “apex” grounds.

11 This re-noticed motion is based on this notice of motion, the supporting memorandum of
12 points and authorities set forth in Apple’s Motion to Compel Depositions of 14 of Samsung’s
13 Purported “Apex” Witnesses (Dkt. No. 736-2), filed and served by Apple on February 16, 2012;
14 the Declaration of Mia Mazza in Support of Apple’s Motion to Compel Depositions of 14 of
15 Samsung’s Purported “Apex” Witnesses and exhibits thereto (Dkt. No. 736-3), filed and served
16 by Apple on February 16, 2012; the Declaration of S. Calvin Walden in Support of Apple’s
17 Motion to Compel Depositions of 14 of Samsung’s Purported “Apex” Witnesses and exhibits
18 thereto (Dkt. No. 737-2), filed and served by Apple on February 16, 2012; and such other written
19 or oral argument as may be presented at or before the time Apple’s Motion to Compel
20 Depositions of 14 of Samsung’s Purported “Apex” Witnesses is taken under submission by the
21 Court.

22 Dated: February 21, 2012

MORRISON & FOERSTER LLP

23
24
25 By: /s/ Michael A. Jacobs
Michael A. Jacobs

26 Attorneys for Plaintiff
27 APPLE INC.
28