

EXHIBIT D

From: Rachel Herrick Kassabian
Sent: Monday, February 20, 2012 11:00 AM
To: 'Mazza, Mia'
Cc: 'AppleMoFo'; Samsung v. Apple
Subject: Apple depositions
Attachments: RE: Apple v. Samsung: Discovery Correspondence - Samsung's Purported Apex Objections

Mia,

As Judge Grewal has ordered, we'd like to explore whether the parties can narrow or resolve the apex deposition issue – through compromise, “horse-trading,” or other means. To that end, by 5pm today, can you please provide us with the following information:

1. Answers to the questions that I posed in my prior email (attached) and at the lead counsel meet and confer regarding (a) whether Apple has any evidence that these apex witnesses possess ***unique*** knowledge, and (b) whether Apple is willing to propose dropping or limiting any of these apex depositions. Apple's filed motion does not answer either of these questions, and Apple has refused to answer them during prior meet and confer discussions, so we'd like answers today.
2. Advise whether Apple will be objecting on apex grounds to the noticed depositions of any Apple witnesses.

Once we have this information, I would like to set up a call with you to discuss whether any progress or compromise can be reached.

Regards,
Rachel

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