

# Exhibit A

February 23, 2012

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*By Email (chrisprice@quinnemanuel.com)*

Christopher Price  
Quinn Emanuel  
865 S. Figueroa Street, 10th Floor  
Los Angeles, CA 90017

Re: *Apple v. Samsung*, Case No. 11-cv-1846-LHK (PSG) (N.D. Cal.)

Dear Christopher:

Samsung has already deposed more than 60 Apple witnesses on Apple's offensive side of this case, and the parties have already confirmed scheduling of depositions for at least 17 additional Apple witnesses. Even if no additional depositions are taken by Samsung in this case, by the end of the fact discovery period Samsung will have deposed a total of 77 Apple witnesses in Apple's offensive case alone.

Samsung has noticed the depositions of the following additional individuals in Apple's offensive case, none of whom possesses sufficiently direct knowledge of discoverable facts relevant to this case to justify Samsung's taking their depositions:

Aaron von Minden	Jeff Robbin
Amy Chuang	Jeff Williams
Bruce Sewell	John Brown
Chris Birgers	John Geleynse
Chris Hood	Michael Lewis
David Falkenburg	Nima Parivar
Deborah Goldsmith	Noreen Krall
Eddy Cue	Rebecca Van Dyck
Eugene Kim	Steven Sinclair
Fred Simon	Tim Cook
Jack Fu	Zack Kamen

Apple does not understand what factual basis could underlie any argument by Samsung that these additional witnesses have sufficient direct knowledge to outweigh the burden of making them available for deposition. On top of that, some of these individuals would

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qualify as “apex” witnesses, making Samsung’s burden even more difficult to overcome. Others of these individuals are attorneys, and the taking of their depositions is disfavored.

On February 3, 2012, Samsung sent Apple a list of witnesses whose depositions Samsung questioned along similar lines. As a result of the mutual agreement that the parties reached at the February 6, 2012 lead counsel meet-and-confer session, we sent you letters on both February 9<sup>th</sup> and February 12<sup>th</sup> setting out in great detail — with references to documents produced by Samsung and deposition testimony of Samsung witnesses — the bases for Apple’s belief that those witnesses had directly relevant knowledge justifying their depositions.

At the February 6, 2012, lead counsel meeting, Samsung agreed to provide the same type of letter with respect to certain Apple witnesses whose depositions had been noticed by that point, including Eddy Cue and others in the above list. Samsung never provided Apple with that letter. We now ask that Samsung provide the promised letter for all of the above witnesses, many of whom were not noticed for deposition until well after the February 6<sup>th</sup> meet and confer.

Please provide Samsung’s factual basis in writing, in at least the level of detail provided by Apple in its letters, citing to documents and deposition testimony, if any, for its belief that any of these witnesses possess information directly relevant to this case sufficient to justify their depositions. Such a letter would help Apple to better understand Samsung’s position, and to assess which witnesses should be scheduled and which should be the subject of a motion for protective order.

Sincerely,

*/s/ Jason R. Bartlett*

Jason R. Bartlett

cc: S. Calvin Walden  
Peter Kolovos