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13 Attorneys for SAMSUNG ELECTRONICS CO.,
 LTD., SAMSUNG ELECTRONICS AMERICA,
 14 INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC
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16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
 18

19 APPLE INC., a California corporation,
 20 Plaintiff,
 21 vs.
 22 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 23 ELECTRONICS AMERICA, INC., a New
 York corporation; SAMSUNG
 24 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,
 25 Defendant.
 26

CASE NO. 11-cv-01846-LHK
**SUPPLEMENTAL DECLARATION OF
 DIANE C. HUTNYAN IN SUPPORT OF
 IN SUPPORT OF MOTION TO COMPEL
 PRODUCTION OF MATERIALS FROM
 RELATED PROCEEDINGS AND TO
 ENFORCE DECEMBER 22, 2011 COURT
 ORDER**

Date: April 10, 2012
 Time: 3:00 p.m.
 Courtroom: 5, 4th Floor
 Honorable Paul S. Grewal

1 I, Diane C. Hutnyan, declare:

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 supplemental
5 declaration in support of Samsung's Motion to Compel Production of Documents Relating to
6 Apple's Efforts to Obtain Design Patents Related to the Patents-In-Suit. I have personal
7 knowledge of the facts set forth in this declaration and, if called upon as a witness, I could and
8 would testify to such facts under oath.

9 2. Attached hereto as **Exhibit A** is a true and correct copy of a March 15, 2012 email
10 from counsel for Apple to counsel for Samsung, regarding the cross use of production documents
11 between this action and the 796 Investigation and to the cross production of deposition transcripts
12 from this action, into the 796 Investigation.

13 3. Attached hereto as **Exhibit B** is a true and correct copy of the stipulation between
14 Apple and Samsung, permitting cross-use of documents and deposition transcripts between the
15 796 Investigation and Apple's second lawsuit against Samsung in the Northern District of
16 California (Civil Action No. 12-CV-00630-LHK) and between this action and Apple's second
17 lawsuit against Samsung in the Northern District of California (Civil Action No. 12-CV-00630-
18 LHK).

19 4. Attached hereto as **Exhibit C** is a true and correct copy a March 26, 2012 email
20 from counsel for Apple to counsel for Samsung regarding Samsung's ability to attach 796
21 Investigation transcripts to this brief.

22 5. Attached hereto as **Exhibit D** is a true and correct copy a March 25, 2012 email
23 from counsel for Apple to counsel for Samsung regarding Samsung's ability to attach 796
24 Investigation transcripts to this brief.

25 6. Attached hereto as **Exhibit E** is a true and correct copy of the Protective Order in
26 the Matter of Certain Electronic Digital Media Devices and Components Thereof, Inv. No. 337-
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02198.51855/4678881.1

1 TA-796 ("the 796 Investigation") currently pending before the United States International Trade
2 Commission.

3 7. Attached hereto as **Exhibit F** is Samsung's Appendix showing many of the
4 commonalities between the design patents and products at issue in this action and in the ITC 796
5 Investigation.

6 8. On a Discovery Meeting Committee teleconference on March 26, 2012, in response
7 to Samsung's suggestion that Apple's 796 counsel review the Protective Order in this action,
8 Apple's 796 counsel stated that she was not interested in what was in the Protective Order and
9 would not read it.

10 I declare under penalty of perjury under the laws of the United States that the foregoing is
11 true and correct.

12 Executed in Los Angeles, California, on March 28, 2012.

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/s/ Diane C. Hutnyan

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Diane C. Hutnyan

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General Order 45 Attestation

I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to file this Declaration. In compliance with General Order 45(X)(B), I hereby attest that Diane C. Hutnyan has concurred in this filing.

/s/ Victoria Maroulis