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10 Attorneys for Plaintiff
 APPLE INC.

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

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

Case No. 11-cv-01846-LHK
**DECLARATION OF RICHARD S.J.
 HUNG REGARDING MEET AND
 CONFER OBLIGATIONS
 RELATING TO APPLE INC.'S
 MOTIONS FILED ON JULY 1,
 2011**

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1 I, RICHARD S.J. HUNG, do hereby declare as follows:

2 1. I am a partner at the law firm of Morrison & Foerster LLP, counsel of record in
3 this action for Plaintiff Apple Inc. I submit this declaration in support of:

4 (A) Apple's Motion for Expedited Trial on its Claims and for Early Case
5 Management Conference;

6 (B) Apple's Motion to Shorten Time for Briefing and Hearing on Apple's
7 Motion for Expedited Trial on its Claims and for Early Case Management
8 Conference;

9 (C) Apple's Administrative Motion to Exceed Page Limit for its Motion for a
10 Preliminary Injunction; and

11 (D) Apple's Administrative Motion to File Documents Under Seal.

12 Unless otherwise indicated, I have personal knowledge of the matters set forth below. If called as
13 a witness, I could and would testify competently as follows:

14 2. On Thursday morning, June 30, 2011, I requested a conference for that day with
15 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung
16 Telecommunication America, LLC (collectively, "Samsung") regarding Apple's motion to
17 expedite trial and motion for a preliminary injunction. I informed counsel for Samsung that
18 Apple would be moving for an expedited trial and to shorten time on the briefing schedule for that
19 motion. I also informed counsel for Samsung that, in connection with Apple's Motion for a
20 Preliminary Injunction, Apple would be moving to exceed the page limit for briefing and to seal
21 one declaration. I clarified shortly thereafter that Apple would be moving the next day, Friday,
22 July 1, 2011, on these motions.

23 3. Counsel for Samsung responded by email at the close of business on Thursday that
24 they were unavailable to meet and confer until late Friday afternoon. Shortly thereafter, I offered
25 to make myself available until midnight on Thursday and on early Friday morning for this
26 conference, but counsel for Samsung did not respond to this offer to meet and confer.

27 4. Counsel for Samsung subsequently filed Samsung's Answer to the Amended
28 Complaint at 11:10 p.m. on Thursday night. Shortly thereafter, counsel for Samsung stipulated to

1 Apple's filing under seal the Declaration of Richard J. Lutton, Jr. in Support of Apple's Motion
2 for a Preliminary Injunction.

3 5. As of the time of the filing of this declaration, Samsung has not yet presented its
4 position on Apple's (A) Motion for Expedited Trial on its Claims and for Early Case
5 Management Conference; (B) Motion to Shorten Time for Briefing and Hearing on Apple Inc.'s
6 Motion for Expedited Trial on its Claims and for Early Case Management Conference; or (C)
7 Administrative Motion to Exceed Page Limit for its Motion for a Preliminary Injunction.

8 6. There have been two previous time modifications in this proceeding. Neither of
9 these relates to this motion to shorten time or to Apple's concurrently filed motion for expedited
10 trial. Instead, the two prior time modifications related to shortened briefing schedules for Apple's
11 Motion to Expedite Discovery (filed on April 19, 2011) and Samsung's Motion to Compel Apple
12 to Produce Reciprocal Expedited Discovery (filed on May 27, 2011).

13 7. Apple's Motion to Shorten Time will affect the briefing and hearing schedule for
14 its Motion for Expedited Trial by setting the deadline for the filing of Samsung's opposition at
15 July 11, any reply at July 14, and any hearing at July 21, 2011, or as soon thereafter as is
16 convenient to the Court.

17 8. Apple is requesting that the Court shorten the briefing and hearing schedule on its
18 Motion for Expedited Trial because otherwise a decision may not be made for several weeks. In
19 the interim, the schedule for this litigation would remain uncertain.

20 9. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the
21 transcript of the June 17, 2011 hearing on Samsung's motion for expedited discovery.

22 10. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the
23 International Trade Commission Complaint filed by Samsung against Apple on June 28, 2011.

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25 I declare under the penalty of perjury that the foregoing is true and correct.

26
27 Dated: July 1, 2011

By: /s/ Richard S.J. Hung
Richard S.J. Hung

1 I, JASON R. BARTLETT, am the ECF User whose ID and password are being used to
2 file the following document: DECLARATION OF RICHARD S.J. HUNG REGARDING MEET
3 AND CONFER OBLIGATIONS RELATING TO APPLE INC.'S MOTIONS FILED ON JULY
4 1, 2011. In compliance with General Order 45, X.B., I hereby attest that Richard S. J. Hung has
5 concurred in this filing.

6
7 Dated: July 1, 2011

MORRISON & FOERSTER LLP

8 By: /s/ Jason R. Bartlett
9 JASON R. BARTLETT
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