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14 Attorneys for SAMSUNG ELECTRONICS CO.,
 LTD., SAMSUNG ELECTRONICS AMERICA,
 15 INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC
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17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
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20 APPLE INC., a California corporation,

21 Plaintiff,

22 vs.

23 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 24 ELECTRONICS AMERICA, INC., a New
 York corporation; SAMSUNG
 25 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,

26 Defendants.
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CASE NO. 11-cv-01846-LHK (PSG)

**ADMINISTRATIVE REQUEST FOR
 LEAVE TO FILE SAMSUNG'S
 SUPPLEMENTAL RESPONSE TO
 APPLE'S CORRECTED REPLY IN
 SUPPORT OF RULE 37(b)(2) MOTION
 RE: SAMSUNG'S ALLEGED
 VIOLATION OF JANUARY 27, 2012
 DAMAGES DISCOVERY ORDER**

Date: April 9, 2012
 Time: 10:00 a.m.
 Place: Courtroom 5, 4th Floor
 Judge: Hon. Paul S. Grewal

1 Pursuant to Civil Local Rules 7-3(d) and 7-11, Samsung Electronics Co., Ltd., Samsung
2 Electronics America, Inc. and Samsung Telecommunications America, LLC (collectively,
3 “Samsung”) hereby request leave of Court to file a Supplemental Response to Apple’s Corrected
4 Reply in Support of Rule 37(b)(2) Motion Re Samsung’s Alleged Violation of January 27, 2012
5 Damages Discovery Order (“Supplemental Response”).

6 On March 20, 2012, Apple filed a Reply Brief in Support of Rule 37(b)(2) Motion Re
7 Samsung's Violation of January 27, 2012 Damages Discovery Order (“Reply”) (Dkt. Nos. 822,
8 828). The Reply contains numerous mischaracterizations and distortions of the deposition
9 testimony of Samsung witnesses Jaehwang Sim and Timothy Sheppard concerning the content of
10 Samsung's financial spreadsheets and the process by which those documents were created and
11 verified. Furthermore, Apple's Reply makes the serious—and baseless—accusation that Samsung
12 is somehow manipulating its financial data to obscure its profits, notwithstanding case law holding
13 that the profits of a non-party foreign subsidiary are not recoverable and therefore irrelevant.
14 Finally, recent discovery-related developments in this case further undercut Apple's claims of
15 prejudice. Unless the Court grants Samsung leave to file its Supplemental Response, Samsung
16 will not have the opportunity to brief the Court on the issues raised for the first time in Apple's
17 Reply before the hearing on April 9, 2012. Granting leave will ensure that the Court is presented
18 with a full record that fairly reflects Samsung's efforts to meet its discovery obligations.

19 For the foregoing reasons, Samsung respectfully requests that the Court grant Samsung
20 leave to file a Supplemental Response to Apple’s Corrected Reply in Support of Rule 37(b)(2)
21 Motion Re Samsung’s Alleged Violation of January 27, 2012 Damages Discovery Order.
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DATED: April 7, 2012

Respectfully submitted,

QUINN EMANUEL URQUHART & SULLIVAN, LLP

By: /s/ Victoria Maroulis

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