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11 Attorneys for Plaintiff and
 12 Counterclaim-Defendant APPLE INC.

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

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

Case No. 11-cv-01846-LHK

**APPLE'S CONDITIONAL
 MOTION FOR RELIEF FROM
 NONDISPOSITIVE PRETRIAL
 ORDER OF MAGISTRATE
 JUDGE**

1 Pursuant to Local Rule 72-2, Fed. R. Civ. P. 72(a) and 28 U.S.C. § 636(b)(1)(A), Apple
2 moves for relief from the April 12 nondispositive pretrial Order (1) Granting-in-Part Defendants'
3 Motion to Compel Production of Certain Design Patents; (2) Granting-In-Part Defendants'
4 Motion to Compel Production of Materials from Related Proceedings and to Enforce December
5 22, 2011 Court Order [Dkt. No. 867] ("April 12 Order"). Apple submits this conditional motion
6 solely as a precautionary measure to avoid waiver of Apple's objections to the order pursuant to
7 Rule 72(a). This motion is based on the Administrative Motion for Clarification (filed
8 simultaneously herewith at Docket No. 885) and supporting papers, incorporated herein by
9 reference.

10 Apple respectfully requests that the Court grant relief from the portions of the April 12
11 Order addressed in the Administrative Motion, if the Administrative Motion is decided in whole
12 or in part against Apple.

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15 Dated: April 26, 2012

MORRISON & FOERSTER LLP

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17 By: /s/ Alison M. Tucher
ALISON M. TUCHER

18 Attorneys for Plaintiff
19 APPLE INC.
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