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

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

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

Case No. 11-cv-01846-LHK

**APPLE'S NOTICE OF MOTION FOR
 CLARIFICATION OF APRIL 12
 ORDER**

Date: June 26, 2012
 Time: 10:00 a.m.
 Place: Courtroom 5, 4th Floor
 Judge: Hon. Paul S. Grewal

1 **NOTICE OF MOTION**

2 **TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

3 PLEASE TAKE NOTICE that on June 26, 2012, at 10:00 a.m., or as soon thereafter as the
4 matter may be heard by the Honorable Paul S. Grewal in Courtroom 5, United States District
5 Court for the Northern District of California, Robert F. Peckham Federal Building, 280 South 1st
6 Street, San Jose, CA 95113, Apple, Inc. (“Apple”) shall move the Court for an Order, originally
7 requested in Apple’s Administrative Motion for Clarification of April 12 Order filed and served
8 by Apple on April 26, 2012 (Dkt. No. 885), that clarifies its Order of April 12, 2012
9 (Dkt. No. 867). The Motion for Clarification is based on this Notice of Motion; Apple’s
10 Administrative Motion for Clarification of April 12 Order, filed and served on April 26, 2012
11 (Dkt. No. 885); the supporting Declaration of Mia Mazza and exhibits thereto, filed and served by
12 Apple on April 26, 2012 (Dkt. Nos. 887 through 887-24); the Proposed Order Granting Apple’s
13 Motion for Clarification of April 12 Order, filed and served by Apple on April 26, 2012 (Dkt. No.
14 888); Apple’s Reply in Support of Motion for Clarification of April 12 Order, filed and served by
15 Apple on May 1, 2012 (Dkt. No. 894); Apple’s Status Update Regarding Compliance with April
16 12 Order and exhibits thereto, filed and served by Apple on May 7, 2012 (Dkt. Nos. 903 and
17 904); Apple’s Supplemental Statement of Additional Facts in Support of Motion for Clarification
18 of April 12 Order and exhibits thereto, filed and served on May 9, 2012 (Dkt. Nos. 911 through
19 911-4); and such other written or oral argument as may be presented at or before the time this
20 Motion for Clarification is taken under submission by the Court.

21 **RELIEF REQUESTED**

22 Pursuant to Federal Rule of Civil Procedure 26, Apple requests that the Court clarify that:

23 1. Part B.2 of the April 12, 2012 Order, compelling production of “unredacted court
24 documents,” does not require Apple to produce documents in violation of ITC protective orders
25 or Local Rules. To the extent ITC protective orders or Local Rules do not have an exception that
26 allows for production pursuant to a court order, Apple is relieved of any requirement to produce
27 confidential documents from court files in the applicable cases.
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2. Part B.1 of the Order, compelling additional depositions, permitted Samsung to take only those depositions that were reasonably necessary to mitigate prejudice caused by Apple's late production of transcripts pursuant to the Order, and that were timely noticed.

Dated: May 22, 2012

MORRISON & FOERSTER LLP

By: /s/ Alison M. Tucher
Alison M. Tucher

Attorneys for Plaintiff
APPLE INC.