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NORTHERN DISTRICT OF CALIFORNIA. SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

VS.

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

Defendant.

CASE NO. 11-cv-01846-LHK

NOTICE OF AUTHORITY REGARDING APPLE INC'S MOTION FOR ADVERSE INFERENCE JURY INSTRUCTIONS **DUE TO SAMSUNG'S SPOLIATION OF EVIDENCE**

June 26, 2012 Date: Time: 10:00 a.m.

Courtroom 5, 4th Floor Place: Judge: Hon. Paul S. Grewal

Case No. 11-cv-01846-LHK

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD: 1 2 Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung 3 Telecommunications America, LLC's (collectively "Samsung') respectfully submit the public version of Administrative Law Judge Thomas B. Pender's Order Denying Apple Inc.'s Motion for 4 5 Spoliation Sanctions Against Samsung in Certain Electronic Digital Media Devices and Components Thereof, Inv. No. 337-TA-796, United States International Trade Commission, 6 attached as Exhibit A. Samsung submits this decision in relation to Apple Inc's Motion for 7 8 Adverse Inference Jury Instructions Due to Samsung's Spoliation of Evidence because the motion 9 denied by Judge Pender parallels that motion. 10 DATED: May 24, 2012 QUINN EMANUEL URQUHART & 11 SULLIVAN, LLP 12 13 By /s/ Victoria F. Maroulis 14 Victoria F. Maroulis 15 Attorneys for SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, 16 INC. and SAMSUNG TELECOMMUNICATIONS AMERICA, LLC 17 18 19 20 21 22 23 24 25 26 27 28