## CONTAINS HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY INFORMATION PURSUANT TO PROTECTIVE ORDER

#### CERTIFICATION OF TRANSLATION

I certify that the Korean to English translation of the Korean document entitled **DECLARATION OF SUNG SIK LEE** is an accurate and complete rendering of the contents of the source document to the best of my knowledge and ability. I further certify that I am a qualified professional translator familiar with both languages with more than twenty years of experience in Korean to English translation of various legal, technical or business documents including a number of legal evidentiary documents submitted to various courts in the United States.

Date: May 29, 2012

Alex N. Jo, Translator

Case No. 11-cv-01846-LHK

# CONTAINS HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY INFORMATION PURSUANT TO PROTECTIVE ORDER

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13	Attorneys for SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC. and SAMSUNG TELECOMMUNICATIONS AMERICA, LLC	Λ,
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15	LD HALL OF A MICH.	N DIGERNATION COLUMN
16	UNITED STATES DISTRICT COURT	
17	NORTHERN DISTRICT OF CA	LIFORNIA, SAN JOSE DIVISION
18	APPLE INC., a California corporation,	CASE NO. 11 0194C LINZ
19		CASE NO. 11-cv-01846-LHK
20	Plaintiff,	DECLARATION OF SUNGSIK LEE IN SUPPORT OF OPPOSITION TO APPLE
21	VS.	INC.'S MOTION FOR ADVERSE INFERENCE JURY INSTRUCTIONS
22	SAMSUNG ELECTRONICS CO., LTD., a Korean business entity; SAMSUNG	DUE TO SAMSUNG'S SPOLIATION OF EVIDENCE
23	ELECTRONICS AMERICA, INC., a New York corporation; SAMSUNG	Date: June 26, 2012
24	TELECOMMUNICATIONS AMERICA, LLC, a Delaware limited liability company,	Time: 10:00 a.m. Place: Courtroom 5, 4th Floor
25	Defendant.	Judge: Hon. Paul S. Grewal
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27	FILED UNDER SEAL PUBLIC REDACTED VERSION	
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-2- Case No. 11-cv-01846-LHK
'S DECL. ISO OPP. TO APPLE'S MOT. FOR ADVERSE INFERENCE JURY INSTRUCTIONS

#### DECLARATION OF SUNGSIK LEE

I, SungSik Lee (이성식), hereby declare as follows:

1. I submit this declaration in support of Samsung's Opposition to Apple Inc.'s Motion for Adverse Inference Jury Instructions Due to Samsung's Spoliation of Evidence. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, I would and could testify competently thereto.

3.
4.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on the \_\_\_\_ of May, 2012, in Seoul, Republic of Korea.

\_\_\_\_/S/ SungSik Lee (이성식)

-1- Case No. 11-cv-01846-LHK SUNGSIK LEE DECL. ISO OPP. TO APPLE'S MOT. FOR ADVERSE INFERENCE JURY INSTRUCTIONS

#### 미연방법원

#### 북가주 지원, 새너제이 지부 법정

애플사, 캘리포니아 법인,

원고,

삼성전자주식회사, 한국 사업 법인;

피고.

CH

에스이에이(SEA), 뉴욕 법인; 에스티에이(STA), 델라웨어 유한책임회사,

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사건번호. 11-cv-01846-LHK

삼성측의 증거인멸을 이유로 애플측에서 신청한 바의 삼성에 불리한 추론적 지시사항을 배심원단에 하는 데에 대한 삼성측의 이의 제기

날짜: 2012 년 6월 26일

시간: 오전 10시

장소: 4층 5호실 법정

판사: 폴그리월(Paul S. Grewal) 판사님

#### 봉인된 비공개 제출

### 이성식(SUNGSIK LEE) 진술인의 진술서

본인 이성식(SUNGSIK LEE)은 다음과 같이 진술합니다.

1. 본인은 삼성측의 증거인멸을 이유로 애플측에서 신청한 바의 삼성에 불리한 추론적 지시사항을 배심원단에 하는 데에 대한 삼성측의 이의 제기를 지원하여 이 진술서를 제출합니다. 본인은 이 진술서에 나와있는 사실을 직접 알고 있으며, 본인이 증인으로 출두 요청을 받을 경우, 그 사실에 대하여 확실하게 증언할 능력과 의향이 있습니다.

2.

Case No. 11-cv-01846-LHK 'S DECL. ISO OPP. TO APPLE'S MOT. FOR ADVERSE INFERENCE JURY INSTRUCTIONS

	Pursuant To Protective Order		
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9	5.		
11 12			
13 14	저는 미국법에 따른 위증 관련 처벌을 인지한 상태에서 상기 내용이 진실이고		
15 16	정확함을 진술합니다. 2012년 5월 <u>역</u> 일 대한민국 서울에서 작성함.		
17 18	0/12/1		
19 20	이성식 (SungSik Lee)		
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25 26			
27 28			
	-3- Case No. 11-cv-01846-LHK 'S DECL. ISO OPP. TO APPLE'S MOT. FOR ADVERSE INFERENCE JURY INSTRUCTIONS		