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 14 Attorneys for SAMSUNG ELECTRONICS CO.,
 LTD., SAMSUNG ELECTRONICS AMERICA,
 15 INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC

16
 17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

19
 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 Defendant.
 27

CASE NO. 11-cv-01846-LHK

**DECLARATION OF RAYMOND
 WARREN IN SUPPORT OF SAMSUNG'S
 OPPOSITION TO APPLE'S MOTION
 FOR ADVERSE INFERENCE JURY
 INSTRUCTIONS**

**DECLARATION OF RAYMOND WARREN IN SUPPORT OF SAMSUNG'S
 OPPOSITION TO APPLE'S MOTION FOR ADVERSE INFERENCE JURY
 INSTRUCTIONS**

1 **DECLARATION OF RAYMOND WARREN**

2 I, Raymond Warren, declare:

3 1. I make this declaration in support of Samsung's Opposition to Apple Inc.'s Motion
4 for Adverse Inference Jury Instructions Due to Samsung's Spoliation of Evidence.

5 2. I am employed by UBIC, North America, Inc. ("UBIC") as Vice President of
6 Client Services and the acting Project Manager for the said Matter.

7 3. UBIC has been hired by Samsung Electronics Corporation to image hard drives,
8 process files so that they are available for review by attorneys, and process files for production in
9 this matter.

10 4. At the instruction of Quinn Emanuel and under the supervision of employees of
11 Samsung Electronics Corporation ("SEC"), employees of UBIC, Inc. performed a forensic data
12 collection from the workstation hard drive of Joon Il Choi, an employee of SEC.

13 5. On March 1, 2012, at the instruction of Quinn Emanuel, UBIC created a
14 production, as directed by Quinn Emanuel, from certain files from the image of Joon Il Choi's
15 work station hard drive.

16 6. In May 2012, it was discovered that one password-protected .pst file from the
17 image of Joon Il Choi's work station hard drive had not been processed for review.

18 7. UBIC immediately worked diligently to obtain the password and process the .pst
19 file. After the review of the files by attorneys, UBIC created a production of certain files
20 contained within the .pst file.

21 8. On May 25, 2012, UBIC created a production, containing 1989 files from the .pst
22 file of Joon Il Choi. Of these files 565 were duplicates of files that have been produced previously
23 from other custodians in this case.

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I declare under penalty of perjury that the foregoing is true and correct. Executed in Costa Mesa, California on May 28, 2012.

By 
Raymond Warren
Vice President of Client Services
UBIC North America