

1 Amy H. Candido
 amycandido@quinnemanuel.com
 2 Matthew S. Warren
 matthewwarren@quinnemanuel.com
 3 QUINN EMANUEL URQUHART
 & SULLIVAN, LLP
 4 50 California Street, 22nd Floor
 San Francisco, California 94111-4788
 5 (415) 875-6600
 (415) 875-6700 facsimile
 6

7 Attorneys for Non-Party Google Inc.

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

11 APPLE INC., a California corporation,
 Plaintiff,
 12
 v.
 13
 14 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 ELECTRONICS AMERICA, INC., a
 15 New York corporation; SAMSUNG
 TELECOMMUNICATIONS
 16 AMERICA, LLC, a Delaware limited liability
 company,
 17
 Defendants.
 18

CASE NO. 12-cv-00630 LHK

**DECLARATION OF HEATHER H.
 MARTIN IN SUPPORT OF GOOGLE'S
 OPPOSITION TO APPLE'S MOTION TO
 COMPEL**

Date: May 1, 2012
 Time: 10:00 a.m.
 Place: Courtroom 5, 4th Floor
 Judge: Hon. Paul S. Grewal

19 SAMSUNG ELECTRONICS CO., LTD., a
 Korean corporation; SAMSUNG
 ELECTRONICS AMERICA, INC., a New
 20 York corporation, and SAMSUNG
 TELECOMMUNICATIONS AMERICA,
 21 LLC, a Delaware limited liability company,
 22
 Counterclaim-Plaintiff,
 23
 v.
 24 APPLE INC., a California corporation,
 25
 Counterclaim-Defendant
 26

27
 28

1 I, Heather H. Martin, declare:

2 1. I am an associate at Quinn Emanuel Urquhart & Sullivan, LLP, counsel for non-
3 party Google Inc. (“Google”) in this action. I submit this declaration in support of Google’s
4 Opposition to Apple’s Motion to Compel. I have personal knowledge of the following facts, and
5 would competently testify to them if called upon to do so.

6 2. Attached to this declaration as Exhibit 1 is a true and correct copy of “Features-
7 Galaxy Nexus,” April 28, 2012.

8 3. Attached to this declaration as Exhibit 2 is a true and correct copy of “Steve Jobs,”
9 a biography by Walter Isaacson.

10 4. Attached to this declaration as Exhibit 3 is a true and correct copy of Order No. 22
11 in *Certain Personal Data and Mobile Communications Devices and Related Software*, U.S.I.T.C.
12 Inv. No. 337-TA-710 (October 14, 2010) (“710 Investigation”).

13 5. Attached to this declaration as Exhibit 4 is a true and correct copy of the October
14 28, 2010 Letter from Amy Candido to Charles Fernandez in the 710 Investigation.

15 6. Attached to this declaration as Exhibit 5 is a true and correct copy of the June 7,
16 2011 Letter from Matthew S. Warren to Ted Jou in *Certain Mobile Devices and Related Software*,
17 U.S.I.T.C. Inv. No. 337-TA-750 (“750 Investigation”).

18 7. Attached to this declaration as Exhibit 6 is a true and correct copy of the July 20,
19 2011 Letter from Matthew S. Warren to Ted Jou in the 750 Investigation.

20 8. Attached to this declaration as Exhibit 7 is a true and correct copy of the September
21 2, 2011 Letter from Jill J. Ho to Laura Miller in *Apple Inc. and NeXT Software Inc. (f/k/a/ NeXT*
22 *Computer, Inc.) v. Motorola, Inc. and Motorola Mobility, Inc.*, No. 10-662 (W.D. Wisc.). This
23 case has subsequently been transferred to the Northern District of Illinois as *Apple Inc. and NeXT*
24 *Software Inc. (f/k/a/ NeXT Computer, Inc.) v. Motorola, Inc. and Motorola Mobility, Inc.*, No. 11-
25 8540 (N.D. Ill.). I will refer to this litigation throughout the remainder of this declaration as the
26 “Northern District of Illinois case.”

27 9. Attached to this declaration as Exhibit 8 is a true and correct copy of the September
28 7, 2011 Letter from Matthew S. Warren to Jill Ho in the Northern District of Illinois case.

1 10. Attached to this declaration as Exhibit 9 is a true and correct copy of the January
2 31, 2012 Letter from Kristin J. Madigan to J. Jason Lang in *Apple, Inc. v. Motorola, Inc. and*
3 *Motorola Mobility, Inc.*, No. 10-23580 (S.D. Fla.) (“the Southern District of Florida case”).

4 11. Attached to this declaration as Exhibit 10 is a true and correct copy of the January
5 9, 2012 Letter from Kristin J. Madigan to Jill Ho in the Southern District of Florida case.

6 12. Attached to this declaration as Exhibit 11 is a true and correct copy of “Galaxy
7 Nexus: An In-Your-Face Android Phone,” November 22, 2011.

8 13. Attached to this declaration as Exhibit 12 is a true and correct copy of “Galaxy
9 Nexus HSPA+ Review” by Miriam Joire, November 24, 2011.

10 14. Attached to this declaration as Exhibit 13 is a true and correct copy of Samsung's
11 Objections and Responses to Apple's First Set of Preliminary Injunction Interrogatories, *Apple Inc.*
12 *v. Samsung Electronics Co.*, Case No. 12-cv-00630 (N.D. Cal. March 27, 2012). I will refer to this
13 litigation throughout the remainder of this declaration as the “Second Northern District of
14 California case.”

15 15. Attached to this declaration as Exhibit 14 is a true and correct copy of the March
16 29, 2012 Letter from Brian M. Buroker to Patrick Shields in the Second Northern District of
17 California case.

18 16. Attached to this declaration as Exhibit 15 is a true and correct copy of the April 23,
19 2012 Letter from Heather H. Martin to Jason Lo.

20 17. Attached to this declaration as Exhibit 16 is a true and correct copy of the April 25,
21 2012 Letter from Jason Lo to Heather H. Martin.

22 18. Attached to this declaration as Exhibit 17 is a true and correct copy of the April 26,
23 2012 Letter from Heather H. Martin to Jason Lo.

24 19. Attached to this declaration as Exhibit 18 is a true and correct copy of the April 24,
25 2012 Letter from Heather H. Martin to Jason Lo.

26 20. Attached to this declaration as Exhibit 19 is a true and correct copy of the April 26,
27 2012 Letter from Heather H. Martin to Jason Lo.

28

1 21. Attached to this declaration as Exhibit 20 is a true and correct copy of the August
2 24, 2011 Hearing Transcript, *Apple Inc. v. Samsung Electronics Co.*, Case. No. 11-cv-01846 (N.D.
3 Cal.). I will refer to this litigation throughout the remainder of this declaration as the “First
4 Northern District of California case.”

5 22. Attached to this declaration as Exhibit 21 is a true and correct copy of the
6 September 28, 2011 Hearing Transcript in the First Northern District of California case.

7 23. Attached to this declaration as Exhibit 22 is a true and correct copy of the April 24,
8 2012 email from Jason C. Lo to Heather H. Martin.

9 24. Attached to this declaration as Exhibit 23 is a true and correct copy of the April 24,
10 2012 email from Jason C. Lo to Heather H. Martin.

11 25. Attached to this declaration as Exhibit 24 is a true and correct copy of the April 2,
12 2012 Letter from Brian M. Buroker to Michael Fazio.

13 26. Attached to this declaration as Exhibit 25 is a true and correct copy of the April 24,
14 2012 email from Jason C. Lo to Heather H. Martin.

15
16 I declare under penalty of perjury that the foregoing is true and correct.

17 Executed in Washington, DC on April 28, 2012.

18 By Heather H. Martin /kme
19 Heather H. Martin
20
21
22
23
24
25
26
27
28