

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

| | | |
|-----------------------------------|---|-----------------------|
| NOKIA CORPORATION, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 09-791 (GMS) |
| |) | |
| APPLE INC., |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |
| APPLE INC. |) | |
| |) | |
| Counterclaim-Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| NOKIA CORPORATION and NOKIA INC., |) | |
| |) | |
| Counterclaim-Defendants. |) | |

NOKIA’S MOTION TO BIFURCATE AND STAY

Plaintiffs Nokia Corporation and Nokia Inc. (collectively, “Nokia”) hereby move to bifurcate and stay discovery on the antitrust, contract, and misuse issues raised by the Sixth Defense and First to Sixth Causes of Action of Apple Inc.’s First Amended Answer, Defenses, and Counterclaims. The grounds for this motion are set forth in Nokia’s Opening Brief submitted herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)
Rodger D. Smith II (#3778)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com
rsmith@mnat.com
Attorneys for Nokia Corporation and Nokia Inc.

OF COUNSEL:

Patrick J. Flinn

Peter Kontio

John D. Haynes

Mark A. McCarty

Adam J. Biegel

ALSTON & BIRD LLP

1201 W. Peachtree Street

Atlanta, GA 30309-3424

(404) 881-7000

March 18, 2010

3462283

RULE 7.1.1 CERTIFICATION

Pursuant to Local Rule 7.1.1, I certify that the subject of this motion has been discussed with counsel for Apple and that we have not been able to reach agreement.

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)

CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2010 I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing to:

Richard L. Horwitz, Esquire
David E. Moore, Esquire
POTTER ANDERSON & CORROON LLP

I further certify that I caused to be served copies of the foregoing document on March 18, 2010 upon the following in the manner indicated:

Richard L. Horwitz, Esquire
David E. Moore, Esquire
POTTER ANDERSON & CORROON LLP
Hercules Plaza – 6th Floor
1313 North Market Street
Wilmington, DE 19801

VIA ELECTRONIC MAIL

William F. Lee, Esquire
Mark D. Selwyn, Esquire
WILMERHALE
60 State Street
Boston, MA 02109

VIA ELECTRONIC MAIL

Kenneth H. Bridges, Esquire
Michael T. Pieja, Esquire
WONG, CABELLO, LUTSCH, RUTHERFORD
& BRUCCULERI, LLP
540 Cowper Street
Palo Alto, CA 94301

VIA ELECTRONIC MAIL

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)