

# **EXHIBIT 1**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

Case No. 1:10cv023580-Civ-UU

MOTOROLA MOBILITY, INC.,

Plaintiff,

v.

APPLE INC.,

Defendant.

**JURY TRIAL DEMANDED**

APPLE INC.,

Counterclaim Plaintiff,

v.

MOTOROLA, INC. and  
MOTOROLA MOBILITY, INC.,

Counterclaim Defendants.

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DECLARATION OF  
AMANDA S. WILLIAMSON

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1. I, Amanda S. Williamson, am an attorney with Quinn, Emanuel, Urquhart & Sullivan, LLP and represent the Plaintiff Motorola Mobility, Inc. ("Mobility") in the above-captioned matter.

2. On August 15, 2011, Google Inc. and Motorola Mobility Holdings, Inc. executed an Agreement and Plan of Merger (“Merger Agreement” or “M.A.”). A true and correct copy of the Merger Agreement is attached hereto as Attachment A.

3. Defendant’s motion to stay this case is based on a purported lack of standing resulting from certain terms in the Merger Agreement. (D.E. 109, 110, and 114.) On September 9, 2011, Defendant filed an identical motion to stay in a patent infringement case that it filed against Motorola in the Western District of Wisconsin. (*See Apple Inc. v. Motorola Mobility, Inc.*, No. 10-c-662, D.E. 154-155.)

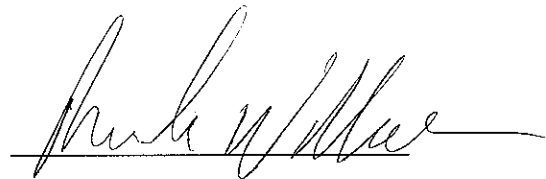
4. On August 22, 2011, Defendant sent a letter requesting production of materials relating to the Motorola-Google merger. I met and conferred with Samuel Ernst and Christopher Eppich concerning those requests on September 1, 2011. Mr. Eppich followed the call with a letter, dated September 2, 2011, continuing Defendant’s requests for documents. At no point during these communications did Mr. Ernst or Mr. Eppich mention a potential motion to stay the case.

5. The first time that Defendant’s counsel raised the issue of a stay was at 7:30 p.m. on September 6, 2011. (*See* Attach. B at 2-3.) Defendant’s counsel did not provide the basis for a stay at that time. (*Id.*) The following day, Defendant’s counsel stated that the stay was based on a purported lack of standing. (*Id.*) Thereafter, on September 8, 2011, Motorola’s counsel promptly met and conferred with Defendant’s counsel and explained that Motorola needed time to evaluate the merits of the proposed stay. (*See id.* at 1-2.) Defendant, however, refused to allow Motorola even twenty-four hours to consider their arguments before filing this Motion. (*Id.* at 2.) Defendant’s

counsel did not respond when Motorola's counsel asked how Defendant could be harmed by allowing for an additional day before filing a motion to stay.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated this 28th day of September, 2011.

A handwritten signature in cursive script, appearing to read 'Amanda S. Williamson', is written over a horizontal line.

Amanda S. Williamson