

**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.

**MOTOROLA MOBILITY'S REQUEST FOR ORAL ARGUMENT ON APPLE'S
MOTION TO STRIKE MOTOROLA'S SUPPLEMENTAL INFRINGEMENT
CONTENTIONS**

Plaintiff Motorola Mobility, Inc. (“Motorola”) requests oral argument on defendant Apple, Inc.’s motion to strike (D.E. 178) Motorola's supplemental infringement contentions (D.E. 160).

The issues raised in Apple's motion to strike, and Motorola's opposition, are significant, in that the outcome of Apple's motion will determine whether the parties should be allowed to supplement their infringement contentions to include new accused products and information obtained during the regular course of discovery, or whether entirely new lawsuits may be necessary. The parties each have filed multiple briefs and many exhibits regarding this issue. *See* D.E. 160 (Motorola's notice of filing supplemental infringement contentions and accompanying exhibits A through F), 162 (Apple's response to Motorola's notice and accompanying exhibits 1 through 7), 165 (Motorola's reply to Apple's response to Motorola's notice), 178 (Apple's motion to strike, accompanying declaration and exhibits 1 through 3), and 185 (Motorola's response to Apple's motion to strike, accompanying declaration and exhibits 1 through 14).

Moreover, Motorola also has served supplemental invalidity contentions based on new information obtained during the regular course of discovery. Apple has stated it objects to these supplementations for reasons identical to its objection to Motorola's service of supplemental infringement contentions, and has demanded that Motorola withdraw them. Motorola disagrees, and it appears likely that one or both parties may seek relief from the Court on this issue as well.

Given the copious number of past and possible future filings on these issues, Motorola respectfully suggests that oral argument would help the court narrow the issues presented in those filings.

Motorola estimates that the oral argument would last no longer than thirty minutes. Motorola respectfully suggests that, given out-of-town counsel, the hearing could be held telephonically if the Court so desires.

Apple has stated that it opposes this Request, but failed to provide a reason.

Dated: December 1, 2011

Respectfully submitted,

MOTOROLA SOLUTIONS, INC. (f/k/a
MOTOROLA, INC.) AND MOTOROLA
MOBILITY, INC.

By: /s/ David Perlson
David Perlson

Charles K. Verhoeven
David Perlson
David Eiseman
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700
Email: charlesverhoeven@quinnemanuel.com
davidperlson@quinnemanuel.com
deiseman@quinnemanuel.com

Edward M. Mullins (863920)
Astigarraga Davis Mullins & Grossman, P.A.
701 Brickell Avenue, 16th Floor
Miami, Florida 33131
Phone: (305) 372-8282
Fax: (305) 372-8202
Email: emullins@astidavis.com

Edward J. DeFranco
Raymond Nimrod
Quinn Emanuel Urquhart & Sullivan, LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010
Phone: (212) 849-7000
Fax: (212) 849-7100
Email: eddefranco@quinnemanuel.com

David A. Nelson
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
500 West Madison St., Ste. 2450

Chicago, IL 60661
Telephone: (312) 705-7400
Facsimile: (312) 705-7401
Email: davenelson@quinnemanuel.com

*Attorneys for Plaintiff and Counterclaim-
Defendant Motorola Solutions, Inc. and
Motorola Mobility, Inc.*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 1, 2011, I served the foregoing document via electronic mail on all counsel of record identified on the attached Service List.

/s/ Edward M. Mullins

Edward M. Mullins

SERVICE LIST
Motorola Mobility, Inc. versus Apple Inc.
Case No. 1:10cv023580-Civ-UU
United States District Court, Southern District of Florida

Christopher R.J. Pace
christopher.pace@weil.com
Weil, Gotshal & Manges LLP
1395 Brickell Avenue, Suite 1200
Miami, Florida 33131
Tel.: (305) 577-3100 / Fax: (305) 374-7159

Attorneys for Apple, Inc.
Electronically served via e-mail

Of Counsel:
Matthew D. Powers
matthew.powers.@weil.com
Steven S. Cherensky
steven.cherensky@weil.com
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3000
Facsimile: (650) 802-3100

Mark G. Davis
mark.davis@weil.com
WEIL, GOTSHAL & MANGES LLP
1300 Eye Street, N.W., Suite 900
Washington, DC 20005
Telephone: (202) 682-7000
Facsimile: (202) 857-0940

Robert T. Haslam
rhaslam@cov.com
COVINGTON & BURLING LLP
333 Twin Dolphin Drive, Suite 700
Redwood Shores, CA 94065
Telephone: (650) 632-4700
Facsimile: (650) 632-4800

Robert D. Fram

framrd@cov.com

Christine Saunders Haskett

chaskett@cov.com

COVINGTON & BURLING LLP

One Front Street

San Francisco, CA 94111

Telephone: (415) 591-6000

Facsimile: (415) 591-6091

Attorneys for Apple, Inc.

Electronically served via e-mail