

**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.

**STIPULATION REGARDING DOCUMENTARY EVIDENCE**

IT IS HEREBY STIPULATED by the undersigned counsel for Plaintiff and Counterclaim Defendants Motorola, Inc. and Motorola Mobility, Inc. ("Motorola") and Defendant and Counterclaim Plaintiff Apple Inc. ("Apple") (the "parties") that:

1. Any document, including source code, that was produced in discovery by a party that on its face appears to have been authored by an employee, officer or agent of the party producing such document, shall be deemed to be a true and correct copy of a document maintained in that party's files as of the date of the party's document collection under Federal

Rule of Evidence 901. Such authentication does not preclude a party from raising any other objection to the admissibility of such documents.

2. Any publication or article, including but not limited to documents submitted to and maintained by Standards Setting Organizations, that was produced in discovery by a party, but that appears to have been authored by a third party, shall be deemed to be a true and correct copy of that publication or article from the third party author under Federal Rule of Evidence 901. Moreover, to the extent the publication or article (or corresponding bibliographic data) specifies a date of that document (e.g., timing of publication, print, authorship, disclosure, etc.) and/or the source (e.g., name of journal or proceedings), that publication or article shall be attributed with such date and/or source specified.

3. Legible photocopies of U.S. and foreign patents, published applications, and the contents of their associated file histories, may be offered and received into evidence in lieu of certified copies thereof, subject to all other objections that may be made to admissibility. In addition, copies of such documents are deemed to be authentic under the Federal Rules of Evidence, include Federal Rule of Evidence 901.

4. None of the foregoing stipulations in paragraphs 1 through 3 shall serve as a waiver of any other objections a party may have to the trial exhibits, or abrogate the requirement that the party offering the document into evidence satisfy any other rules governing the admissibility of evidence set forth in Federal Rules of Evidence, the Federal Rules of Civil Procedure, Local Rules, the Court's individual practices, or any other applicable rule or regulation. Additionally, none of the foregoing stipulations in paragraphs 1 through 3 shall serve as an admission, concession, or agreement by any party of any legal significance of a document

and/or attributed date from paragraph 2 beyond authentication, nor preclude a party from raising any other objection concerning the document.

5. This Stipulation applies to this above-captioned litigation, *Motorola Mobility, Inc. v. Apple, Inc.*, Case No. 1:10cv023480-Civ-UU (S.D. Fla.), as well as the litigations captioned, *Apple, Inc. v. Motorola Mobility, Inc.*, Case No. 11-CV-178 (BBC) (W.D. Wisc.), and *Apple, Inc., et al. v. Motorola, Inc., et al.*, Case No. 10-CV-662 (BBC) (W.D. Wisc.).

We hereby stipulate to the entry of the foregoing.

Dated: December 1, 2011

Respectfully submitted,

<p><u>/s/ Edward M. Mullins</u> Edward M. Mullins Fla. Bar No. 863920 <a href="mailto:emullins@astidavis.com">emullins@astidavis.com</a> ASTIGARRAGA DAVIS MULLINS &amp; GROSSMAN, P.A. 701 Brickell Avenue, 16th Floor Miami, FL 33131 Telephone: (305) 372-8282 Facsimile: (305) 372-8202</p> <p><i>Attorneys for Motorola Mobility, Inc.</i></p> <p>Of Counsel:</p> <p>Charles K. Verhoeven David A. Perlson Anthony Pastor QUINN EMANUEL URQUHART &amp; SULLIVAN, LLP 50 California Street, 22nd Floor San Francisco, CA 93111 (415) 875-6600</p> <p>Raymond N. Nimrod Edward J. DeFranco QUINN EMANUEL URQUHART &amp; SULLIVAN,</p>	<p><u>/s/ Christopher R. J. Pace</u> Christopher R. J. Pace <a href="mailto:christopher.pace@weil.com">christopher.pace@weil.com</a> Edward Soto WEIL, GOTSHAL &amp; MANGES LLP 1395 Brickell Avenue, Suite 1200 Miami, FL 33131 Telephone: (305) 577-3100 Facsimile: (305) 374-7159</p> <p><i>Attorneys for Apple Inc.</i></p> <p>Of Counsel:</p> <p>Mark G. Davis <a href="mailto:mark.davis@weil.com">mark.davis@weil.com</a> WEIL, GOTSHAL &amp; MANGES LLP 1300 Eye Street, N.W., Suite 900 Washington, DC 20005 Telephone: (202) 682-7000 Facsimile: (202) 857-0940</p> <p>Robert T. Haslam <a href="mailto:rhaslam@cov.com">rhaslam@cov.com</a> COVINGTON &amp; BURLING LLP 333 Twin Dolphin Drive, Suite 700 Redwood Shores, CA 94065</p>
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*Attorneys for Apple Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 1, 2011, I filed the foregoing document with the Clerk of the Court. I also certify that the foregoing document is being served this day on all counsel of record identified on the attached Service via CM/ECF.

/s/ Christopher R. J. Pace  
Christopher R.J. Pace (Fla. Bar No. 0721166)

**SERVICE LIST**  
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**Case No. 1:10cv023580-Civ-UU**  
**United States District Court, Southern District of Florida**

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