

**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.

**DECLARATION OF JILL HO IN SUPPORT OF APPLE'S OPPOSITION TO
MOTOROLA'S MOTION TO AMEND THE PROCEDURAL SCHEDULE TO
SERVE SUPPLEMENTAL INVALIDITY CONTENTIONS**

I, Jill Ho, declare under penalty of perjury, that the following is true and correct:

1. I am a member of the bar of the State of California, admitted *pro hac vice* in this action and an associate at the law firm of Weil, Gotshal & Manges LLP, counsel of record for Apple Inc. (“Apple”) in the above-captioned matter. The matters referred to in this declaration are based on personal knowledge and if called as a witness I could, and would, testify competently to these matters.
2. Attached here to as Exhibit A is a true and correct copy of court’s order granting motion to strike dated December 6, 2011 (D. E. 198).
3. Attached here to as Exhibit B is a true and correct copy of an email sent from Jill Ho to Cathleen Garrigan dated December 6, 2011.
4. Attached here to as Exhibit C is a true and correct copy of an email sent from Cathleen Garrigan to Jill Ho dated December 8, 2011.
5. Attached here to as Exhibit D is a true and correct copy of a webpage from www.tweaker.net, bearing production numbers FL-Apple0100821-22.
6. Attached here to as Exhibit E is a true and correct copy of a webpage from www.wikipedia.org, bearing production numbers FL-Apple0100823-25.
7. Attached here to as Exhibit F is a true and correct copy of a webpage from www.mobile.softpedia.com, bearing production numbers FL-Apple0100907-10.
8. Attached here to as Exhibit G is a true and correct copy of a webpage screen shot from www.gsmarena.com, bearing production numbers FL-Apple0100958-60.
9. Attached here to as Exhibit H is a true and correct copy of an excerpt from Exhibit D to Motorola’s Invalidity Contentions served on June 20, 2011.

10. Attached here to as Exhibit I is a true and correct copy of an excerpt from Plug and Play BIOS Specification, Ver. 1.0A dated May 5, 1994.
11. Attached here to as Exhibit J is a true and correct copy of U.S. Patent No. 6,282,646.
12. Attached here to as Exhibit K is a true and correct copy of U.S. Patent No. 7,380,116.
13. Attached here to as Exhibit L is a true and correct copy of an excerpt from the hearing transcript of the technology tutorial held before Judge Ungaro on October, 6, 2011.
14. I have met and conferred multiple times with attorneys from Quinn Emanuel Urquhart & Sullivan LLP, counsel for Motorola, regarding Motorola's service of supplemental invalidity contentions.
15. On December 2, 2011, I discussed the additional references included in Motorola's amended invalidity contentions served on November 30, 2011 with Cathleen Garrigan and Marshall Searcy. U.S. Patent No. 7,100,185 was not mentioned during that conversation.
16. On December 20, 2011, after the Court denied Motorola's Motion to Amend the Procedural Schedule to Serve Supplemental Invalidity Contentions for failing to include a certificate of good faith conference, I again met and conferred with Cathleen Garrigan and Marshall Searcy regarding Motorola's amended invalidity contentions. During this conversation, I indicated that Apple may be willing to consent to the additional prior art references asserted against the '849 patent, but I needed to investigate further.

