

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

**Case No. 1:10cv023580-Civ-RNS**

MOTOROLA MOBILITY, INC.,

Plaintiff,

v.

APPLE INC.,

Defendant.

**JURY TRIAL DEMANDED**

APPLE INC.,

Counterclaim Plaintiff,

v.

MOTOROLA, INC. and  
MOTOROLA MOBILITY, INC.,

Counterclaim Defendants.

**PARTIES' JOINT INTERIM STATUS REPORT**

Motorola Mobility, Inc., Motorola Solutions, Inc., and Apple Inc. (collectively, the "Parties") submit this Interim Joint Status Report as required by the Court's December 19, 2011 Amended Scheduling Order and Order Referring Discovery Matters to the Magistrate Judge. The Parties' responses to the questions set forth in the Order are provided below.

Questions	Parties Responses
<p>1. Have the parties engaged in informal settlement negotiations? If not, explain the reasons for the failure to do so. If yes, state the status of such negotiations (e.g., ongoing, impasse, etc.) and the relative prospects for resolution through informal means.</p>	<p>The parties have in the past engaged and continue to engage in informal settlement negotiations.</p>
<p>2. Describe the status of discovery conducted to date, and identify whether the parties reasonably believe that they will be able to complete discovery by the Court's deadline. If not, explain the reasons.</p>	<p>The parties have served significant written discovery, including requests for production, interrogatories, and requests for admission. Depositions are ongoing. The parties reasonably believe that they will be able to complete discovery by the Court's deadline.</p>
<p>3. Identify any other issues that the Court should be aware of that may affect the resolution of this matter or the schedule as currently set.</p>	<p>The current case schedule sets a deadline for expert discovery to be completed on April 13, 2012, which is before rebuttal expert reports are due on April 16, 2012. Accordingly, the parties have discussed stipulating to revised deadlines for the close of expert discovery (May 11) and filing of summary judgment motions (May 18).</p> <p>In addition, the trial date is currently set for September 24, 2012, a date that conflicts with Yom Kippur. The parties have discussed stipulating to another date convenient for the parties and the Court, but Motorola does not believe that the trial date has to be moved as it can be dealt with at the call of the trial calendar (which is currently scheduled for Rosh Hashanah and for which the parties agree should be moved to account for the holiday).</p> <p>Moreover, Motorola Mobility intends to file another complaint in the Southern District of Florida to present allegations concerning, and to seek remedies for infringement of the Motorola patents at issue in this case for any products and/or infringement theories stricken without prejudice by the December 6, 2011 Order (D.E. 198). Apple disagrees that this "may affect the resolution of this matter or the schedule as currently set." Indeed, to the extent that Motorola believes filing a new</p>

	complaint will affect the schedule of this case, that position is internally inconsistent with Motorola's view that the trial date need not be moved.
4. For Fort Lauderdale/West Palm division cases, the parties shall indicate whether they prefer to try the case in Miami or Fort Lauderdale/West Palm.	This is a Miami division case.

Dated: January 17, 2011

Respectfully submitted,

<p><u>/s/ Edward M. Mullins</u> Edward M. Mullins emullins@astidavis.com Hal M. Lucas hlucas@astidavis.com Astigarrage 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. and Motorola Solutions, Inc.</i></p>	<p><u>/s/ Christopher R. J. Pace</u> Christopher R. J. Pace christopher.pace@weil.com 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>
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 17, 2012, I served the foregoing document via electronic mail on all counsel of record identified on the attached Service List.

*/s/ Douglas Giuliano*  
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Douglas Giuliano

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

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