

# EXHIBIT O

**From:** Matt Korhonen <mattkorhonen@quinnemanuel.com>  
**Sent:** Thursday, February 16, 2012 9:34 PM  
**To:** Schmidt, Jill; Greg Bonifield; Amanda Williamson  
**Cc:** Moto-Apple-SDFL; Weil\_TLG Apple Moto FL External; AppleCov@cov.com  
**Subject:** RE: Apple/Motorola (FL): 30(b)(6) topics - Motorola's designations

Hi Jill,

Motorola does not see why Apple needs to depose the six individual witnesses listed below. Motorola has designated a witness for the 30(b)(6) topics that Apple propounded seeking information regarding the accused set top boxes. Those 30(b)(6) topics should be sufficient. For each of these individual witnesses, please explain why Apple needs the witness's testimony in addition to the 30(b)(6) testimony.

Also, please be advised that Motorola stands on its objections to Topic Nos. 36 and 37 and will not be producing witnesses for those topics.

Best,  
Matt

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**From:** Schmidt, Jill [mailto:jill.schmidt@weil.com]  
**Sent:** Thursday, February 16, 2012 8:08 AM  
**To:** Greg Bonifield; Amanda Williamson; Matt Korhonen  
**Cc:** Moto-Apple-SDFL; Weil\_TLG Apple Moto FL External; AppleCov@cov.com  
**Subject:** RE: Apple/Motorola (FL): 30(b)(6) topics - Motorola's designations

Hi Greg,

To date, Motorola has offered only one additional 30(b)(6) witness in the FL case. Please confirm that you are still planning to provide dates for the remainder of Motorola's designated witnesses and at least some of Motorola's individual witnesses by tomorrow.

Thanks,  
Jill

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**From:** Schmidt, Jill  
**Sent:** Tuesday, February 14, 2012 1:51 PM  
**To:** 'Greg Bonifield'; 'Amanda Williamson'; Matt Korhonen (mattkorhonen@quinnemanuel.com)  
**Cc:** 'Moto-Apple-SDFL'; Weil\_TLG Apple Moto FL External; 'AppleCov@cov.com'  
**Subject:** RE: Apple/Motorola (FL): 30(b)(6) topics - Motorola's designations

Hi Greg / Amanda / Matt,

Thanks for meeting and conferring with us today. I write to memorialize our discussion. You said you have several individuals in mind for Topics 1-5, 7, 8, 9, 10, 12, 17, and 23-27, but you are in the process of confirming their availability and will provide deposition dates either later today or tomorrow. For Topics 30, 33, 34, 36, 37 and 71, you said you would provide deposition dates for Motorola's designated witnesses by Friday, February 17.

You confirmed that Mr. Schladt will be adequately prepared on Topics 59, 60, and 62.

With regard to Chuck Supinski, Joe Murray, Mike DiFiglia, Lou Fodor, Nathan Mengel, and Scott Sellers, you said you were still checking on their availability. As for the individuals listed in Motorola's initial disclosures, I repeated Apple's

request that you confirm as soon as possible whether Motorola intends to call those individuals at trial. Per our prior agreement, we expect Motorola to make available for deposition any individual who may be called at trial. You were unwilling to commit to providing dates for these individual depositions by Friday. Please confirm whether you will be in a position to offer at least some of these dates by Friday and the rest by Wednesday, February 22. Given the quickly approaching fact discovery deadline, any further delay in scheduling unfairly prejudices Apple.

Please let me know if I have misunderstood any aspect of our conversation.

Best regards,  
Jill

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**From:** Greg Bonifield [mailto:gregbonifield@quinnemanuel.com]  
**Sent:** Monday, February 13, 2012 5:28 PM  
**To:** Schmidt, Jill; Amanda Williamson  
**Cc:** Moto-Apple-SDFL; Weil\_TLG Apple Moto FL External; AppleCov@cov.com  
**Subject:** RE: Apple/Motorola (FL): 30(b)(6) topics - Motorola's designations

Jill,

Amanda and I can meet and confer at noon Pacific tomorrow.

Regards,  
Greg

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**From:** Schmidt, Jill [mailto:jill.schmidt@weil.com]  
**Sent:** Monday, February 13, 2012 7:51 PM  
**To:** Greg Bonifield; Amanda Williamson  
**Cc:** Moto-Apple-SDFL; Weil\_TLG Apple Moto FL External; AppleCov@cov.com  
**Subject:** RE: Apple/Motorola (FL): 30(b)(6) topics - Motorola's designations

Hi Greg,

When our teams met and conferred last Wednesday, February 8, Amanda asked (again) whether we would be ready to exchange designations by Friday, February 10. I confirmed that Apple was planning to do so for both the IL & FL cases, with the understanding that the exchange was going to be mutual. Indeed, as you state below, you were the one who initially suggested a mutual exchange by that date.

We continue to believe the parties can resolve this dispute amicably, but we need a date certain by which Motorola will complete its 30(b)(6) designations. These include witnesses and deposition dates for Topics 1-5, 7, 17, 23-27, 30, 33-34, 36, 37, and 71. I called Amanda earlier this afternoon in an attempt to continue our meet and confer process, but she said she would have to call me back. I am generally available the rest of today and tomorrow. Please let me know when you are available to meet and confer.

Finally, we accept the March 7 date for Mr. Schladt. Given Mr. Schladt's testimony from the 745 case that his work with mobile phones at Motorola has been limited to an administrative role as program manager, please confirm that you will be preparing him to testify regarding Topics 59, 60, and 62 at the level of particular source code functions, as opposed to a high-level description of the accused functionalities.

Best regards,  
Jill

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**From:** Greg Bonifield [mailto:gregbonifield@quinnemanuel.com]  
**Sent:** Monday, February 13, 2012 3:19 PM

**To:** Schmidt, Jill; Amanda Williamson  
**Cc:** Moto-Apple-SDFL; Weil\_TLG Apple Moto FL External; AppleCov@cov.com  
**Subject:** RE: Apple/Motorola (FL): 30(b)(6) topics - Motorola's designations

Jill,

Your threat to move to compel is unwarranted. We have recently designated a number of witnesses in response to Apple's 30(b)(6) topics, and we are continuing to identify witnesses and will designate additional ones over the next few days. Your claim that we made representations regarding designating witnesses on last Friday, February 10, is wrong. During our call on February 3, I suggested the idea of the parties agreeing to a mutual exchange of witness designations by that date. However, you indicated that Apple could not agree to such an arrangement on that call. There was never any agreement with respect to designating witnesses by last Friday. In any event, we will continue to provide you with witness designations as soon as possible.

As for the individual witnesses, we are working with them to determine their availability, and will let you know their availability shortly as well.

With respect to the deposition of Greg Schladt, he is not available to be deposed prior to March 7.

Regards,  
Greg

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**From:** Schmidt, Jill [mailto:jill.schmidt@weil.com]  
**Sent:** Monday, February 13, 2012 3:12 PM  
**To:** Greg Bonifield; Amanda Williamson  
**Cc:** Moto-Apple-SDFL; Weil\_TLG Apple Moto FL External; AppleCov@cov.com  
**Subject:** RE: Apple/Motorola (FL): 30(b)(6) topics - Motorola's designations

Hi Greg / Amanda,

Please designate your remaining 30(b)(6) witnesses by COB today or we are moving to compel. In addition, please provide deposition dates for the individuals we requested and let us know if Mr. Schladt is available any earlier than March 7.

Best regards,  
Jill

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**From:** Schmidt, Jill  
**Sent:** Saturday, February 11, 2012 11:37 AM  
**To:** 'Greg Bonifield'; Amanda Williamson (amandawilliamson@quinnemanuel.com)  
**Cc:** 'Moto-Apple-SDFL'; Weil\_TLG Apple Moto FL External; 'AppleCov@cov.com'  
**Subject:** RE: Apple/Motorola (FL): 30(b)(6) topics - Apple's designations

Hi Greg / Amanda,

Contrary to your representations during meet and confer, Motorola did not designate any of its outstanding 30(b)(6) witnesses in the FL case yesterday. Please confirm that Motorola will do so first thing on Monday or let me know when you are available to meet and confer.

Best regards,  
Jill

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**From:** Schmidt, Jill  
**Sent:** Friday, February 10, 2012 4:30 PM  
**To:** 'Greg Bonifield'; Amanda Williamson (amandawilliamson@quinnemanuel.com)  
**Cc:** 'Moto-Apple-SDFL'; Weil\_TLG Apple Moto FL External; 'AppleCov@cov.com'  
**Subject:** Apple/Motorola (FL): 30(b)(6) topics - Apple's designations

Hi Greg / Amanda,

Apple hereby designates the following 30(b)(6) witnesses.

Jason Skinder will be Apple's designee for Topic 1. He is available for deposition on February 24.

Boris Teksler will be Apple's designee for Topics 21-26, 36, 38, 48-50, 52, 83, and 90. He is available for deposition on February 17. We are designating prior testimony from Boris Teksler (745 & 750) and Chip Lutton (745 & 750) for Topic 47.

Mark Buckley will be Apple's designee for Topics 78-79 & Topics 101-102. He is available for deposition on February 17.

Stan Ng will be Apple's designee for Topics 55 (to the extent we understand what Motorola means by "commercialization"), 56 (subject to the caveats discussed during meet and confer), 57, 80, & 103-104, excluding subcomponents of the accused Apple products. He is available for deposition on February 17, starting at 8am.

In addition to FL topics 2-4 (as limited to conception/reduction to practice), Fabrice Florin will be Apple's designee for Topics 8, 9, 11, 16, and 17, all limited to the '509/'560/'456 patents.

We are not designating any witnesses for the remainder of Motorola's Topic 12 because, as stated during our meet and confer, we believe the portion pertaining to prior art to the Apple asserted patents about which Apple has knowledge was withdrawn (in exchange for Apple's Topic 29 relating to prior art to the Motorola patents-in-suit about which Motorola has knowledge) and there is no Apple prior art asserted against the '509/'560/'456 patents.

We maintain our objections to Topics 41-42, 44 & 51 on the basis that it calls for expert testimony.

We decline to designate a witness for Topic 40 and note that Motorola has refused to designate a witness for Apple's Topic 36.

We maintain our objections to Topic 54 on the basis that the method of manufacture of Apple's accused products and subcomponents is not relevant to any of the issues and, with respect to subcomponents obtained from third-party vendors, Apple is not in possession of that knowledge.

We maintain our objections to Topics 71-74 & 76-77 on the basis that these topics remain overly broad and unduly burdensome, even if limited to a representative version of source code. We have produced Apple's source code and designated witnesses for Topic 75. Motorola can question those witnesses on the accused functionalities.

Apple's objections to Motorola's 3rd 30(b)(6) notice are not yet due. We will serve our objections and identify additional designations, if any, in due course. We believe all other topics in Motorola's 30(b)(6) notices have been withdrawn or otherwise accounted for. Please let me know if you disagree.

Please confirm that the deposition dates we offered above work for your team.

Best regards,

Jill

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**Jill Schmidt (née Ho)**

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