

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

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

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 JOHN DUCHEMIN IN SUPPORT OF MOTOROLA'S
OPPOSITION TO APPLE'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS
AND TESTIMONY REGARDING SET-TOP BOX COMPONENTS**

I, John Duchemin, declare:

I am a member of the bar of the State of California, admitted *pro hac vice* in this action and an associate with Quinn Emanuel Urquhart & Sullivan, LLP, attorneys for Motorola Mobility, Inc. and Motorola Solutions, Inc. (f/k/a Motorola, Inc.) (collectively "Motorola"). I make this declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and would testify competently to the matters contained in this declaration.

1. Motorola has produced more than 1.7 million documents to Apple during discovery in this case, including tens of thousands of documents related to the accused set-top products, which are the products known by the titles DCT700, DCT2500, DCT3400, DCT3412, DCT3080, DCT6200, DCT6208, DCT6400, DCT6412, DCX700, DCX3200, DCX3200 P2, DCX3400, DCH70, DCH100, DCH200, DCH3200, DCH3416, DCH6200, DCH6416, DTA100, QIP2500, QIP2708, QIP6200, QIP6416, QIP7100, and QIP7216 (the "accused set-top boxes").

2. Among the production are many documents that identify and describe the hardware components of the accused set-top boxes.

3. Such documents include, among other things, product functional specifications, specification sheets, firmware source code and related release notes, and detailed schematic diagrams. Motorola produced such documents to respond to, among other things, Apple's document requests numbers 5 and 6. These schematics identify each hardware component by name and/or product number, reveal each electrical connection between each such hardware component, show the electrical in and out ports for each component and the device as a whole, and further provide block diagrams that show physically how multiple components interconnect.

4. Attached as Exhibit 1 is a true and correct copy of the Motorola schematic titled “DCT34xx Dual Tuner Main Board Schematic.”

5. Attached as Exhibit 2 is a true and correct copy of the Motorola schematic titled “DCT700 Phase 2 Main Board Schematic.”

6. Attached as Exhibit 3 is a true and correct copy of the Motorola schematic titled “DCT 2500/2600 Phase 0/Phase 2 Main Board Schematic.”

7. Attached as Exhibit 4 is a true and correct copy of the Motorola schematic titled “DCT62xx P2 Main Board Schematic.”

8. Attached as Exhibit 5 is a true and correct copy of the Motorola schematic titled “DCT6XXX P3 Dual Tuner Main Board Schematic.”

9. Attached as Exhibit 6 is a true and correct copy of the Motorola schematic titled “DCX700 Main Board Schematic.”

10. Attached as Exhibit 7 is a true and correct copy of the Motorola schematic titled “DCX3200-M P1 Main Board Schematic.”

11. Attached as Exhibit 8 is a true and correct copy of the Motorola schematic titled “DCX3400 MP Main Board Schematic.”

12. Attached as Exhibit 9 is a true and correct copy of the Motorola schematic titled “DCH70/DCH100/DCH200 Phase 1 Main Board Schematic.”

13. Attached as Exhibit 10 is a true and correct copy of the Motorola schematic titled “DCH3416/DCH3200-P5 Main Board Schematic.”

14. Attached as Exhibit 11 is a true and correct copy of the Motorola schematic titled “DCH3416-P5 Main Board Schematic.”

15. Attached as Exhibit 12 is a true and correct copy of the Motorola schematic titled “DCH6XXX P4 Dual Tuner Main Board Schematic.”

16. Attached as Exhibit 13 is a true and correct copy of the Motorola schematic titled “QIP2500 Phase 3 Main Board Schematic.”

17. Attached as Exhibit 14 is a true and correct copy of the Motorola schematic titled “QIP6xxxP2 Main Board Schematic.”

18. Attached as Exhibit 15 is a true and correct copy of the Motorola schematic titled “QIP7xxx Main Board Schematic.”

19. Each of the above schematics has been produced to Apple in this litigation.

20. Attached as Exhibit 16 is a true and correct copy of an e-mail I sent to Apple counsel on February 23, 2012, informing counsel of the production of eight schematic documents.

21. During the month of March, Motorola held multiple meet-and-confer telephone conferences with Apple. Apple in those calls never raised the issue of whether Motorola should produce additional documentation regarding the Broadcom components contained in or bills of materials related to the accused set-top boxes. Before Apple filed its Motion to Compel Production of Documents and Testimony Regarding Set-Top Components on March 26, it never informed Motorola that it would seek to move to compel on these issues.

22. Attached as Exhibit 17 is a true and correct copy of an e-mail from Apple counsel Arjun Mehra to myself that I received on March 27, 2012.

23. Attached as Exhibit 18 is a true and correct copy of an e-mail from myself to Mr. Mehra that I sent on March 27, 2012.

24. Attached as Exhibit 19 is a true and correct copy of an e-mail from Mr. Mehra to myself that I received on March 28, 2012.

25. Attached as Exhibit 20 is a true and correct copy of an e-mail from myself to Mr. Mehra that I sent on March 30, 2012. Attached as Exhibit 21 is a true and correct copy of a proposed evidentiary stipulation that I attached to that e-mail.

26. Attached as Exhibit 22 is a true and correct copy of an e-mail from Mr. Mehra to myself that I received on April 2, 2012.

27. Attached as Exhibit 23 is a true and correct copy of an e-mail from Apple counsel that I received on March 5, 2012.

28. Attached as Exhibit 24 is a true and correct copy of an e-mail from Jason Lang to myself that I received on March 13, 2012.

29. Attached as Exhibit 25 is a true and correct copy of an e-mail from Mr. Mehra to myself that I received on March 29, 2012.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 2nd day of April 2012 at Oakland, California.

/s/ John Duchemin

John Duchemin

