

**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
FURTHER SUPPLEMENTAL RESPONSES TO INTERROGATORY NOS. 19-22**

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. Attached as Exhibit 1 is a true and correct copy of Apple's Third Set of Interrogatories to Motorola Mobility and Motorola (Nos. 16-22).

2. Attached as Exhibit 2 is a true and correct copy of an e-mail I received from Apple counsel Arjun Mehra on March 27, 2012.

3. Attached as Exhibit 3 is a true and correct copy of an e-mail from myself to Mr. Mehra that I sent on March 27, 2012. Attached as Exhibit 4 is a true and correct copy of Motorola's Second Supplemental Responses to Apple's Third Set of Interrogatories to Motorola Mobility, which I attached to that e-mail

4. Attached as Exhibit 5 is a true and correct copy of an e-mail I received from Mr. Mehra on March 28, 2012.

5. Attached as Exhibit 6 is a true and correct copy of an e-mail I received from Mr. Mehra on March 28, 2012.

6. Attached as Exhibit 7 is a true and correct copy of an e-mail I received from Mr. Mehra on April 2, 2012.

7. In order to supplement its Second Supplemental Responses to Apple's Interrogatory Nos. 19-22, Motorola gathered information from several departments and a number of Motorola employees. Motorola spent more than a week compiling this information, which

came from several different sources, and cross-checking it for accuracy. As a result, Motorola was only in a position to supplement its responses to Interrogatory Nos. 19-22 as of March 27, 2012.

8. After Motorola informed Apple on Thursday, March 22, 2012 that its Second Supplemental Responses to Apple's Interrogatory Nos. 19-22 would be coming "shortly," Apple never objected to Motorola's proposed schedule, never asked for a date certain by which Motorola would serve its Second Supplemental Responses, and never informed Motorola that it would seek to move to compel on these issues.

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