

# EXHIBIT 3

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**From:** Schmidt, Jill  
**Sent:** Friday, August 31, 2012 4:49 PM  
**To:** Marshall Searcy  
**Cc:** Moto-Apple-SDFL; Weil\_TLG Apple Moto FL External  
**Subject:** RE: Apple/Motorola (FL): DRAFT joint motion to amend procedural schedule  
**Attachments:** US\_ACTIVE\_Joint Motion to Amend Procedural Schedule\_44084898\_2.DOC;  
US\_ACTIVE\_PO Granting Motion to Amend Procedural Schedule\_44084900\_2.DOC

Hi Marshall,

Attached is a revised draft for your review. Assuming Motorola has no further changes, we can aim to get this on file first thing on Tuesday morning.

Best regards,  
Jill

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**From:** Marshall Searcy [<mailto:marshallsearcy@quinnemanuel.com>]  
**Sent:** Friday, August 31, 2012 7:39 AM  
**To:** Marshall Searcy  
**Cc:** Schmidt, Jill; Moto-Apple-SDFL; Weil\_TLG Apple Moto FL External  
**Subject:** Re: Apple/Motorola (FL): DRAFT joint motion to amend procedural schedule

Hi Jill,  
Assuming that Apple does not have changes you have our permission to file.

On Aug 30, 2012, at 11:11 AM, "Marshall Searcy" <[marshallsearcy@quinnemanuel.com](mailto:marshallsearcy@quinnemanuel.com)> wrote:

Jill, did apple have any changes on this?

On Aug 29, 2012, at 7:34 PM, "Schmidt, Jill" <[jill.schmidt@weil.com](mailto:jill.schmidt@weil.com)> wrote:

Hi Marshall,

As promised during our meet and confer, attached is a draft joint motion to amend the procedural schedule that reflects our agreement to extend the deadline for infringement contentions to November 7, 2012 and the deadline for invalidity contentions to December 5, 2012. Our team is still reviewing this so we might have some minor tweaks tomorrow, but we are circulating a working draft for your review in the hopes that we can get this on file sooner rather than later.

Best regards,  
Jill

<image001.jpg>

**Jill Schmidt (née Ho)**

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<US\_ACTIVE\_Joint Motion to Amend Procedural Schedule\_44084898\_1.DOC>

<US\_ACTIVE\_PO Granting Motion to Amend Procedural  
Schedule\_44084900\_1.DOC>

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

Case No. 1:12-cv-20271-RNS-TEB

MOTOROLA MOBILITY, INC.,

Plaintiff,

v.

APPLE INC.,

Defendant.

**JURY TRIAL DEMANDED**

Consolidated Cases:

Case No. 1:10-cv-23580-RNS

Case No. 1:12-cv-20271-RNS

APPLE INC.,

Counterclaim Plaintiff,

v.

MOTOROLA MOBILITY, INC.

Counterclaim Defendant.

**JOINT MOTION TO AMEND THE PROCEDURAL SCHEDULE**

Pursuant to the Court's May 14, 2012 Amended Scheduling Order, D.E. 84, Motorola Mobility, Inc. ("Motorola") and Apple Inc. ("Apple") are scheduled to exchange infringement contentions on September 7, 2012 and invalidity contentions on October 5, 2012. In light of the fact that both parties are expected to release new products this fall, Motorola and Apple have agreed to exchange infringement contentions on November 7, 2012 and invalidity contentions on December 5, 2012 to allow sufficient time for the parties to more fully review relevant documents and include such new products in their respective infringement contentions. The parties are also currently discussing whether any products may be added to the case after

Field Code Changed

November 7, 2012. Apple believes that no additional products should be accused by either party after infringement contentions are served. Motorola disagrees.

Accordingly, the parties respectfully submit this joint request for the Court to amend its scheduling order to the extent agreed upon~~to reflect these revised deadlines.~~ Apple will separately move for an additional amendment to the scheduling order to include a deadline for adding new accused products if the parties cannot reach agreement on that issue.

| <b>Case Event</b>        | <b>Deadline</b>  |
|--------------------------|------------------|
| Infringement contentions | November 7, 2012 |
| Invalidity contentions   | December 5, 2012 |

No other deadlines set forth in the Court's May 14, 2012 Amended Scheduling Order would be affected by this change.

Dated: ~~October 11, 2012~~ August 30, 2012

Respectfully Submitted,

/s/ Edward M. Mullins

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*Attorneys for Apple Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on ~~August 30, 2012~~ October 11, 2012, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to received electronically Notices of Electronic Filing.

/s/ Christopher R. J. Pace  
Christopher R. J. Pace (Fla. Bar No. 0721166)

**SERVICE LIST**  
**Motorola Mobility, Inc. versus Apple Inc.**  
**Consolidated Case Nos. 1:12cv020271-Civ-RNS & 1:10cv235800Civ-RNS**  
**United States District Court, Southern District of Florida**

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*Attorneys for Motorola Mobility, Inc.*  
Electronically served via email



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

Case No. 1:12-cv-20271-RNS-TEB

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Plaintiff,

v.

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**JURY TRIAL DEMANDED**

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Counterclaim Plaintiff,

v.

MOTOROLA MOBILITY, INC.

Counterclaim Defendant.

**[PROPOSED] ORDER GRANTING JOINT MOTION TO AMEND  
THE PROCEDURAL SCHEDULE**

**THE COURT** having considered the parties' Joint Motion to Amend the Procedural Schedule ("Motion"), it is **ORDERED AND ADJUDGED**:

1. Having found that good cause exists for the proposed extensions to the existing deadlines for the exchange of infringement contentions and invalidity contentions, the Motion is **GRANTED**.

2. The procedural schedule is amended as follows:

| Case Event               | Deadline         |
|--------------------------|------------------|
| Infringement contentions | November 7, 2012 |
| Invalidity contentions   | December 5, 2012 |

All other deadlines set forth in the Court's May 14, 2012 Amended Scheduling Order, D.E. 84, shall remain in effect.

**DONE AND ORDERED** in Chambers, in Miami, Florida, on this \_\_\_\_ day of ~~September~~August, 2012.

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Honorable Robert N. Scola, Jr.  
United States District Judge

Copies to:  
All Counsel of Record