EXHIBIT 4

From: Vlasis, Robert
Sent: Monday, August 27, 2012 4:26 PM
To: Marshall Searcy
Cc: Schmidt, Jill; Moto-Apple-SDFL; Weil_TLG Apple Moto FL External; Davis, Mark
Subject: RE: Apple/Motorola (FL): meet and confer

Marshall,

We are disappointed by Motorola's decision to revert to its original position that infringement contentions may be supplemented up until the beginning of trial in April 2014 to "avoid a multiplicity of suits" between Apple and Motorola. Just over a week ago, Motorola further multiplied the suits between Apple and Motorola in spite of its apparent desire to avoid such multiplicity, so this does not appear to be the actual reason behind your position.

Equally disappointing is Motorola's failure to address the serious problems with Motorola's proposal that Apple has laid out in earlier meet and confer communications. As we have stated, neither party can reasonably be expected to prepare for the trial when contentions may be supplemented on the eve of trial for new products. Additionally, you state that "both Apple and Motorola have new products coming out this fall, and . . . [b]oth sides will want to include information adduced during discovery about these products in their infringement contentions." Our proposal below addresses this very issue and reflects a cutoff date for adding products after the parties have released their respective new products this fall. We are willing to push these dates reasonably further into the future to accommodate your concerns for products released this fall, but we cannot agree to an extension of the contentions deadline to the eve of trial. If Motorola is unwilling to agree to set a deadline for adding new products to the case at this time, then we propose moving the contentions deadlines as set forth below to at least avoid a supplemental round of contentions this fall when the parties' new products have been released. Please let us know if Motorola will agree to the extended contentions exchange, and please also be prepared to discuss on Wednesday's meet-and-confer the ongoing issue of setting a deadline for adding new products to the case.

Finally, your complaints regarding Apple's purported discovery deficiencies do not appear to be made in good faith. First, contrary to your accusation in your email to Jill Schmidt today, we have already provided you with a proposed timeframe for producing documents relating to the iPhone 5. Mark Davis explained to you on our August 9 meet-and-confer that the iPhone 5 documentation is still under development and will not be ready for production until closer to or shortly after its release date. We then proposed a specific date for production of these documents on October 15. Thus, your suggestion that Apple has refused to provide iPhone 5 documents without any basis or explanation is untrue.

Moreover, unlike Motorola, Apple has already produced a substantial number of documents comprising 76,626 pages in the second Florida case. In contrast, as we explained in our August 22 letter, Motorola's first two productions in the new Florida action comprised only 9 documents. Motorola's third production today comprises only 18 pages that were "previously provided to Apple's counsel during the deposition of Dwight Smith." As the plaintiff, Motorola has had ample time to collect documents relevant to its latest case in Florida. Please provide a date certain for a supplemental production that is responsive to the issues set forth in our August 22 letter, and please be prepared to discuss this issue on Wednesday's meet-and confer with specifics as to how Motorola's complaints about Apple's far more substantive production do not show the bad faith in Motorola's failure to produce similar information and Motorola's failure to provide even estimates about when Motorola will produce documents relevant to its upcoming products.

Best regards,
Robert

Weil

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From: Marshall Searcy [mailto:marshallsearcy@quinnemanuel.com]
Sent: Tuesday, August 21, 2012 4:39 PM
To: Davis, Mark
Cc: Vlasis, Robert; Schmidt, Jill; Moto-Apple-SDFL; Weil_TLG Apple Moto FL External
Subject: RE: Apple/Motorola (FL): meet and confer

Dear Mark,

Our position is simply that there is no need to set a firm date for parties to accuse products released before trial in this matter at this time. As we discussed last week, both Apple and Motorola have new products coming out this fall, and we agree that both sides will be producing documents related to those products. Both sides will want to include information adduced during discovery about these products in their infringement contentions. Further, it is likely that either Apple or Motorola (or both) will release new products after the close of discovery but before the commencement of trial. Considering that discovery will be continuing through July 2013, we don't think it makes sense for either side to freeze their infringement contentions in place before discovery closes. Nor is there any reason to restrict appropriate and reasonable supplementation of infringement contentions after the parties' exchange initial contentions and before the beginning of trial in April 2014. Motorola continues to believe that it's most efficient for the parties to avoid a multiplicity of suits between them.

From: Davis, Mark [mailto:mark.davis@weil.com]
Sent: Friday, August 17, 2012 11:24 AM
To: Marshall Searcy
Cc: Vlasis, Robert; Schmidt, Jill; Moto-Apple-SDFL; Weil_TLG Apple Moto FL External
Subject: Re: Apple/Motorola (FL): meet and confer

Marshall,

What is your proposal?

Mark

On Aug 17, 2012, at 1:13 PM, "Marshall Searcy" <marshallsearcy@quinnemanuel.com> wrote:

> Robert,
>
> Motorola does not agree to these dates. We don't think it makes sense to limit discovery of products released after October 8, 2012, when the trial period in this matter is not set until April 21, 2014. Such a limitation is contrary to an efficient resolution of the disputes between the parties, and will likely result in additional suits being filed.

Best regards,
Marshall

From: Vlasis, Robert [mailto:robert.vlasis@weil.com]
Sent: Wednesday, August 15, 2012 3:12 PM
To: Marshall Searcy
Cc: Schmidt, Jill; Moto-Apple-SDFL; Weil_TLG Apple Moto FL External
Subject: Re: Apple/Motorola (FL): meet and confer

Marshall,

As we explained during the meet-and-confer, the deadline for exchanging contentions should be coordinated with the deadline for adding new products to the case to avoid continual supplementation of contentions for new products through the 2014 trial, which would otherwise make trial preparations impractical, unreasonably enlarge the ongoing litigation between the parties, and unduly burden the parties' witnesses. While Apple agrees to provide discovery on future products, this agreement must have some reasonable boundary. Indeed, we cannot continue to have Apple's engineers re-deposed for each new product and software release, nor is it reasonable for this litigation to continue broadening up through trial.

For this reason, we suggest pushing the contentions deadline by at least two months so that Motorola can add the next generation iPhone and Apple can add new Motorola products released between now and the extended deadline. Thus, we suggest making the infringement contentions due on November 7 and invalidity contentions due on December 5. With these dates, we suggest October 8 as the deadline for adding new products to the case, with documents pertaining to such new products produced by October 15.

Please let us know if we can agree to these dates.

Best regards,
Robert

On Aug 14, 2012, at 7:52 PM, "Marshall Searcy" <marshallsearcy@quinnemanuel.com> wrote:

> Jill and Mark,
>
> Just to follow up on our conversation from last Thursday, because both Apple and Motorola have products scheduled for release after the September 7 date for infringement contentions, Apple proposed that the parties could potentially agree to extend that date (and possibly others). Motorola is willing to consider such an extension; however, we do not agree that it is proper to lock in the parties to only those products identified in infringement contentions, to the exclusion of all products released later in the case. Accordingly, while Motorola is willing to discuss an extension to the contention date, it will do so only on the condition that Apple will not argue that any agreement the parties might reach is a basis for preventing Motorola from supplementing its infringement contentions in the future.

To the extent that Apple has any proposal for extending the contention dates, please forward it to me so that we may continue our discussions.

Best regards,
Marshall

From: Schmidt, Jill [mailto:jill.schmidt@weil.com]
Sent: Wednesday, August 08, 2012 8:36 AM
To: Marshall Searcy; Moto-Apple-SDFL
Cc: Weil_TLG Apple Moto FL External
Subject: Re: Apple/Motorola (FL): meet and confer

Hi Marshall,

11am PT tomorrow is fine. Please circulate a dial-in.

Thanks,
Jill

From: Marshall Searcy [mailto:marshallsearcy@quinnemanuel.com]
Sent: Tuesday, August 07, 2012 06:33 PM
To: Schmidt, Jill; Moto-Apple-SDFL <Moto-Apple-SDFL@quinnemanuel.com>
Cc: Weil_TLG Apple Moto FL External
Subject: RE: Apple/Motorola (FL): meet and confer

Hi Jill,
I'm available on Thursday at 11 a.m. In connection with this subject, it has been widely reported that Apple will be announcing the iPhone 5 on September 12, 2012. Infringement contentions are presently due September 7. Please confirm that Apple will promptly provide documents concerning the iPhone 5 including technical specifications, design documents and instruction manuals, well in advance of September 7.

In addition, please let me know when we can expect Apple's document production this week.

Best regards,
Marshall

From: Schmidt, Jill [mailto:jill.schmidt@weil.com]
Sent: Monday, August 06, 2012 2:22 PM
To: Marshall Searcy; Moto-Apple-SDFL
Cc: Weil_TLG Apple Moto FL External
Subject: RE: Apple/Motorola (FL): meet and confer

Hi Marshall,

Further to my email below, this is the language we propose for our agreement regarding unreleased products:

Plaintiff/Counterclaim-Defendant Motorola Mobility, Inc. ("Motorola") and Defendant/Counterclaim-Plaintiff Apple, Inc. ("Apple") hereby stipulate that discovery

regarding unreleased products in the above-captioned litigation shall be limited to products that will be announced prior to **XXX**.

Let's schedule a call for later this week to discuss a mutually agreeable cutoff date.

Best regards,
Jill

From: Schmidt, Jill
Sent: Thursday, August 02, 2012 8:01 PM
To: 'Marshall Searcy'; Moto-Apple-SDFL (Moto-Apple-SDFL@quinnemanuel.com)
Cc: Weil_TLG Apple Moto FL External
Subject: Apple/Motorola (FL): meet and confer

Hi Marshall,

I write to memorialize our meet and confer from earlier today. With respect to document production, we agreed that Apple will produce its documents as OCR'ed pdfs and Motorola will produce its documents as single-page TIFFs, but both sides will simply keep their copies of documents produced in the FL-1 action rather than re-producing everything again. Since Motorola did not previously specify which documents it produced for the FL-1 action with a different prefix, please identify those documents by Bates range. As for metadata fields, Apple would prefer to stick with the same fields as the other Apple/Motorola cases if HTC is no longer involved. With respect to documents produced in other Apple/Motorola cases, Apple is amenable to extending our cross-use agreement. You are double-checking with your team and will get back to me with any objections.

With regard to discovery limits, we agreed that the following limits would apply to the consolidated FL cases, with the understanding that either party may serve discovery (within these limits) that pertain to patents asserted in the FL-1 action as well as the FL-2 action:

- 30 Interrogatories
- 125 RFPs
- 100 RFAs
- 90 hours of deposition for fact/30(b)(6) witnesses (experts or third-party witnesses do not count towards this limit)

As for our agreement regarding unreleased products, we agreed that we likely need to craft a new agreement for the consolidated FL cases since my recollection was that our previously agreed cutoff date was the 745 trial and both Apple and Motorola have already accused products released since that date.

Finally, on financial data, we agreed in principle that an exchange of representative or summary data would be more efficient for both sides. We agreed to check with our respective teams to see what exchange was made in the NDIL case, so we can use that as a starting point for further discussions.

Please let me know if scheduling another call for early next week would be useful.

Best regards,

Jill

<image001.jpg>

Jill Schmidt (née Ho)

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From: Marshall Searcy [mailto:marshallsearcy@quinnemanuel.com]
Sent: Thursday, August 02, 2012 10:21 AM
To: Schmidt, Jill
Subject: conference call number

Hi Jill,
Here's the number for today

866-939-8416
Passcode: 518165

Speak to you at 11.
