

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

Case No. 1:10cv023580-Civ-UU

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 STEVEN S. CHERENSKY IN SUPPORT OF DEFENDANT AND
COUNTERCLAIM PLAINTIFF APPLE INC.'S MOTION TO TRANSFER VENUE**

I, Steven S. Cherensky, hereby declare:

1. I am a member of the law firm of Weil, Gotshal & Manges LLP, counsel of record for Apple Inc. (“Apple”) in the above-captioned matter. The matters referred to in this declaration are based on personal knowledge and if called as a witness I could, and would, testify competently to these matters.

2. Attached hereto as Exhibit A is a true and correct copy of the complaint filed by Motorola Mobility, Inc. (“Motorola”) on October 6, 2010 in Case No. 1:10-cv-06381 in the Northern District of Illinois.

3. Attached hereto as Exhibit B is a true and correct copy of the complaint filed by Motorola on October 6, 2010 in Case No. 1:10-cv-06385 in the Northern District of Illinois.

4. Attached hereto as Exhibit C is a true and correct copy of the complaint filed by Motorola on October 6, 2010 with the United States International Trade Commission (“USITC”), which is now pending as Investigation No. 337-TA-745.

5. Attached hereto as Exhibit D is a true and correct copy of the complaint filed by Motorola on October 8, 2010 in Case No. 1:10-cv-00867 in the District of Delaware.

6. Attached hereto as Exhibit E is a true and correct copy of the complaint filed by Apple on October 29, 2010 in Case No. 1:10-cv-00661 in the Western District of Wisconsin.

7. Attached hereto as Exhibit F is a true and correct copy of the complaint filed by Apple on October 29, 2010 in Case No. 1:10-cv-00662 in the Western District of Wisconsin.

8. Attached hereto as Exhibit G is a true and correct copy of the complaint filed by Apple with the USITC.

9. Attached hereto as Exhibit H is a true and correct copy of the voluntary dismissal filed by Motorola on November 9, 2010 in Case No. 1:10-cv-06381 in the Northern District of

Illinois.

10. Attached hereto as Exhibit I is a true and correct copy of the voluntary dismissal filed by Motorola on November 9, 2010 in Case No. 1:10-cv-06385 in the Northern District of Illinois.

11. Attached hereto as Exhibit J is a true and correct copy of the answer filed by Motorola on November 9, 2010 in Case No. 1:10-cv-00661 in the Western District of Wisconsin.

12. Attached hereto as Exhibit K is a true and correct copy of the answer filed by Motorola on November 9, 2010 in Case No. 1:10-cv-00662 in the Western District of Wisconsin.

13. Attached hereto as Exhibit L is a true and correct copy of the amended complaint filed by Apple on December 2, 2010 in Case No. 1:10-cv-00662 in the Western District of Wisconsin.

14. Attached hereto as Exhibit M is a true and correct copy of Defendants' Motion to Dismiss or, in the Alternative, to Transfer Venue, filed on December 2, 2010 in Case No. 1:10-cv-00867 in the District of Delaware.

15. Attached hereto as Exhibit N is a true and correct copy of the Opening Brief in Support of Defendants' Motion to Dismiss or, in the Alternative, to Transfer Venue, filed on December 2, 2010 in Case No. 1:10-cv-00867 in the District of Delaware.

16. Attached hereto as Exhibit O is a true and correct copy of an email I sent to Edward DeFranco on December 28, 2010, proposing that all district court patent infringement actions between the parties (in the Southern District of Florida, the District of Delaware, and the Western District of Wisconsin) be consolidated in the Western District of Wisconsin for efficiency purposes. As of the time of filing of this motion, I have not yet received a response to my email.

CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2011, 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.
Case No. 1:10cv023580-Civ-UU
United States District Court, Southern District of Florida

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