

EXHIBIT Q

**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.

**PLAINTIFF AND COUNTERCLAIM DEFENDANT MOTOROLA MOBILITY, INC.'S,
AND COUNTERCLAIM DEFENDANT MOTOROLA, INC.'S INITIAL DISCLOSURES**

Plaintiff/Counterclaim Defendant Motorola Mobility, Inc., and Counterclaim Defendant Motorola, Inc. (collectively, "Motorola") respectfully make the following Initial Disclosures pursuant to Fed. R. Civ. P. 26(a)(1).

These Initial Disclosures are based on information reasonably available to Motorola at this time. Motorola's investigation into these matters is ongoing. Motorola reserves the right to supplement or amend these Initial Disclosures as discovery and investigation proceed. Furthermore, these Initial Disclosures are made with the understanding that Motorola cannot anticipate all the positions that it or Apple Inc. ("Apple") may take in this case.

Motorola provides these Initial Disclosures without waiving in any manner: (1) the right to object on any basis permitted by law to the use of any Initial Disclosure information contained herein for any purpose in any subsequent proceeding in this or any other action; and (2) the right to object on any basis permitted by law to any discovery request or proceeding involving or related to the subject matter of these Initial Disclosures.

DISCLOSURES

- a) **The name and, if known, the address and telephone number of each individual likely to have discoverable information--along with the subjects of that information--that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.**

Motorola hereby gives notice that the following individuals are likely to have discoverable information that Motorola may use to support its claims or defenses.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
Thomas Eugene Paulick	May only be contacted through the undersigned counsel for Motorola.	Named inventor on United States Patent No. 5,710,987 (the '987 Patent); conception and reduction to practice of the invention disclosed in the '987 Patent and the prosecution of the '987 Patent.
Michael J. Deluca	Boca Raton, FL (Former Employee); may only be contacted through the undersigned counsel for Motorola.	Named inventor on United States Patent Nos. 5,754,119 (the '119 Patent) and 6,008,737 (the '737 Patent); conception and reduction to practice of the invention disclosed in the '119 and '737 Patents and the prosecution of the '119 and '737 Patents.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
Joan S. Deluca	Boca Raton, FL (Former Employee); may only be contacted through the undersigned counsel for Motorola.	Named inventor on United States Patent No. 5,754,119 (the '119 Patent); conception and reduction to practice of the invention disclosed in the '119 Patent and the prosecution of the '119 Patent.
Gene Eggleston	May only be contacted through the undersigned counsel for Motorola.	Named inventor on United States Patent Nos. 5,958,006 (the '006 Patent) and 6,101,531 (the '531 Patent); conception and reduction to practice of the invention disclosed in the '006 and '531 Patents and the prosecution of the '006 and '531 Patents.
Mitch Hansen	Fox River Grove, IL (Former Employee); may only be contacted through the undersigned counsel for Motorola.	Named inventor on United States Patent Nos. 5,958,006 (the '006 Patent) and 6,101,531 (the '531 Patent); conception and reduction to practice of the invention disclosed in the '006 and '531 Patents and the prosecution of the '006 and '531 Patents.
Anthony Rzany	May only be contacted through the undersigned counsel for Motorola.	Named inventor on United States Patent No. 5,958,006 (the '006 Patent); conception and reduction to practice of the invention disclosed in the '006 Patent and the prosecution of the '006 Patent.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
Doug Kraul	Gloucester, MA (Former Employee); may only be contacted through the undersigned counsel for Motorola.	Named inventor on United States Patent No. 6,008,737 (the '737 Patent); conception and reduction to practice of the invention disclosed in the '737 Patent and the prosecution of the '737 Patent.
Walter L. Davis	Rogersville, MO (Former Employee); may only be contacted through the undersigned counsel for Motorola.	Named inventor on United States Patent No. 6,008,737 (the '737 Patent); conception and reduction to practice of the invention disclosed in the '737 Patent and the prosecution of the '737 Patent.
Lisa Jane Gromelski	May only be contacted through the undersigned counsel for Motorola.	Named inventor on United States Patent No. 6,377,161 (the '161 Patent); conception and reduction to practice of the invention disclosed in the '161 Patent and the prosecution of the '161 Patent.
Gregory Lewis Cannon	Boynton Beach, FL (Former Employee); may only be contacted through the undersigned counsel for Motorola.	Named inventor on United States Patent No. 6,377,161 (the '161 Patent); conception and reduction to practice of the invention disclosed in the '161 Patent and the prosecution of the '161 Patent.
Kevin D. Kaschke	Contact Information Currently Unknown.	Prosecution of U.S. Patent No. 5,710,987.
Rolland R. Hackbart	May only be contacted through the undersigned counsel for Motorola.	Prosecution of U.S. Patent No. 5,710,987.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
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Kevin A. Buford	Contact Information Currently Unknown.	Prosecution of U.S. Patent No. 5,958,006.
Susan L. Lukasik	Contact Information Currently Unknown.	Prosecution of U.S. Patent No. 5,958,006.
J. Ray Wood	Contact Information Currently Unknown.	Prosecution of U.S. Patent No. 5,958,006.
Terri S. Hughes	May only be contacted through the undersigned counsel for Motorola.	Prosecution of U.S. Patent Nos. 5,958,006 and 6,101,531.
Romi N. Bose	Contact Information Currently Unknown.	Prosecution of U.S. Patent No. 6,101,531.
R. Louis Breeden	Contact Information Currently Unknown.	Prosecution of U.S. Patent Nos. 6,008,737 and 6,377,161.
Roland K. Bowler II	May only be contacted through the undersigned counsel for Motorola.	Prosecution of U.S. Patent No. 6,377,161.
Kirk Dailey	May only be contacted through the undersigned counsel for Motorola.	Corporate structure of Motorola; Apple's willful infringement of the Motorola Mobility, Inc. Patents-in-suit.
Chris Collins	May only be contacted through the undersigned counsel for Motorola.	Business and financial information relating to the products accused by Apple sold in the United States.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
Peter Prunuske	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola Droid 2 phone.
Marjorie Silha	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola Droid X phone.
Steven Fischer	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of at least the Motorola Droid X phone.
David Briggs	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola Droid phone.
Jeanette Orlen	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola CLIQ phone.
Gregory Schladt	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola CLIQ XT phone.
Paul Martinson	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola Backflip phone.
Warren Fernandez	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola Devour phone.
Jim Conroy	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola i1 phone.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
Amy Verbeke	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola Flipout phone.
Gunjan Shah	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola Defy phone.
Sandy Baek	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola Bravo phone.
Jamie Wheeler	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola Flipside phone.
Allison Yi	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola Citrus phone.
Jeff Snow	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation of the Motorola Droid Pro phone.
Google, Inc.	1600 Amphitheatre Pkwy Mountain View, CA 94043	Development, structure, design, and/or operation of the Android Platform.
Lawrence Robinson	May only be contacted through the undersigned counsel for Motorola.	Business, marketing and financial information relating to at least the accused DCT, DCH, DCX, DTA and QIP set-top boxes.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
John Kamieniecki	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation for at least the accused DCT, DCH, DCX and QIP set-top boxes.
David Prezuhy	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation for at least the accused DTA set-top boxes.
Richard Rementilla	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation for at least the accused DCT, DCH, DCX and QIP set-top boxes.
Robert Simons	May only be contacted through the undersigned counsel for Motorola.	Development, structure, design, and/or operation for at least the accused DCT, DCH, DCX, and QIP set-top boxes.
John Tracy	May only be contacted through the undersigned counsel for Motorola.	Business and financial information concerning the accused DCT, DCH, DCX, DTA, and QIP set-top boxes.
Fabrice Florin	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 5,583,560 (the '560 Patent), 5,594,509 (the '509 Patent), and 5,621,456 (the '456 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '560, '509, and '456 Patents and the prosecution of the '560, '509, and '456 Patents.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
Michael Buettner	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 5,583,560 (the '560 Patent), 5,594,509 (the '509 Patent), and 5,621,456 (the '456 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '560, '509, and '456 Patents and the prosecution of the '560, '509, and '456 Patents.
Glenn Corey	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 5,583,560 (the '560 Patent), 5,594,509 (the '509 Patent), and 5,621,456 (the '456 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '560, '509, and '456 Patents and the prosecution of the '560, '509, and '456 Patents.
Janey Fritsche	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 5,583,560 (the '560 Patent), 5,594,509 (the '509 Patent), and 5,621,456 (the '456 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '560, '509, and '456 Patents and the prosecution of the '560, '509, and '456 Patents.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
Peter Maresca	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 5,583,560 (the '560 Patent), 5,594,509 (the '509 Patent), and 5,621,456 (the '456 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '560, '509, and '456 Patents and the prosecution of the '560, '509, and '456 Patents.
Peter Miller	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 5,583,560 (the '560 Patent), 5,594,509 (the '509 Patent), and 5,621,456 (the '456 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '560, '509, and '456 Patents and the prosecution of the '560, '509, and '456 Patents.
Bill Purdy	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 5,583,560 (the '560 Patent), 5,594,509 (the '509 Patent), and 5,621,456 (the '456 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '560, '509, and '456 Patents and the prosecution of the '560, '509, and '456 Patents.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
Stuart Sharpe	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 5,583,560 (the '560 Patent), 5,594,509 (the '509 Patent), and 5,621,456 (the '456 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '560, '509, and '456 Patents and the prosecution of the '560, '509, and '456 Patents.
Nick West	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 5,583,560 (the '560 Patent), 5,594,509 (the '509 Patent), and 5,621,456 (the '456 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '560, '509, and '456 Patents and the prosecution of the '560, '509, and '456 Patents.
Ian Hendry	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 6,282,646 (the '646 Patent) and 7,380,116 (the '116 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '646 and '116 Patents.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
Eric Anderson	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 6,282,646 (the '646 Patent) and 7,380,116 (the '116 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '646 and '116 Patents.
Fernando Urbina	Contact Information Currently Unknown.	Named inventor on United States Patent Nos. 6,282,646 (the '646 Patent) and 7,380,116 (the '116 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '646 and '116 Patents.
Imran Chaudhri	Contact Information Currently Unknown.	Named inventor on United States Patent No. 7,657,849 (the '849 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '849 Patent.
Bas Ording	Contact Information Currently Unknown.	Named inventor on United States Patent No. 7,657,849 (the '849 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '849 Patent.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
Freddy Allen Anzures	Contact Information Currently Unknown.	Named inventor on United States Patent No. 7,657,849 (the '849 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '849 Patent.
Marcel Van Os	Contact Information Currently Unknown.	Named inventor on United States Patent No. 7,657,849 (the '849 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '849 Patent.
Stephen O. Lemay	Contact Information Currently Unknown.	Named inventor on United States Patent No. 7,657,849 (the '849 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '849 Patent.
Greg Christie	Contact Information Currently Unknown.	Named inventor on United States Patent No. 7,657,849 (the '849 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '849 Patent.
Scott Forstall	Contact Information Currently Unknown.	Named inventor on United States Patent No. 7,657,849 (the '849 Patent); believed to have knowledge regarding the conception and reduction to practice of the alleged invention disclosed in the '849 Patent.

<u>INDIVIDUAL</u>	<u>CONTACT INFORMATION</u>	<u>SUBJECT(S) OF INFORMATION</u>
Attorneys and patent agents at Blakely, Sokoloff, Taylor & Zafman	1279 Oakmead Parkway Sunnyvale, CA 94085 Phone: 408-720-8300 Fax: 408-720-8383	Believed to have knowledge regarding the prosecution of U.S. Patent Nos. 5,583,560, 5,594,509, and 5,621,456.
Attorneys and patent agents at Buchanan Ingersoll & Rooney PC (Formerly Burns, Doane, Swecker & Mathis, L.L.P.)	1737 King Street, Suite 500 Alexandria, VA 22314 Phone: 703-836-6620 Fax: 703-836-2021	Believed to have knowledge regarding the prosecution of U.S. Patent Nos. 6,282,646 and 7,380,116.
Attorneys and patent agents at Morgan, Lewis & Bockius LLP	1111 Pennsylvania Ave., NW Washington, DC 20004 Phone: 202-739-3000 Fax: 202-739-3001	Believed to have knowledge regarding the prosecution of U.S. Patent No. 7,657,849.
Current and/or Former Apple Employees	Contact Information Currently Unknown	Believed to have knowledge regarding the design and/or development of the accused products or products which allegedly embody the Apple asserted patents.

Motorola further identifies the individuals listed on Apple's initial disclosures as persons potentially having knowledge of facts relevant to the case, and reserves the right to rely upon any of such individuals to support its claims and defenses in this action. Motorola expressly reserves the right to supplement its response pursuant to Fed. R. Civ. P. 26(e) as its investigation continues.

- b) A copy--or a description by category and location--of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.**

Categories of documents in Motorola's custody, possession and control which Motorola may use to support its claims and defenses include:

- a) The Motorola patents-in-suit;
- b) The complete file histories of the Motorola patents-in-suit, including all cited references;
- c) Documents relevant to the conception and reduction to practice of the claimed inventions in the Motorola patents-in-suit;
- d) Copies of relevant and discoverable correspondence;
- e) Documents sufficient to describe the functionality of the products relating to the Motorola Patents-in-suit;
- f) Documents sufficient to describe the functionality of the products accused in Apple's counterclaims;
- g) Documents sufficient to show Motorola's relevant marketing and sales activities of the products relating to the Motorola Patents-in-suit;
- h) Documents sufficient to show Motorola's relevant marketing and sales activities of the products accused in Apple's Counterclaims;
- i) Financial documents relating to the sale and use of the products accused in Apple's counterclaims;
- j) The Apple patents-in-suit;
- k) Prior art articles, documents and products relating to the invalidity of the Apple patents-in-suit;
- l) Documents relating to the level of ordinary skill in the field of art of the Motorola patents-in-suit;

- m) Documents relating to the level of ordinary skill in the field of art of the Apple patents-in-suit; and
- n) Documents relating to Apple's willful infringement of the Motorola patents-in-suit.

Many of the aforementioned documents contain Motorola and/or third party confidential information and will be produced or made available for inspection pursuant to the protective order issued in this action and at the time called for in this Court's Scheduling Order. Motorola's search for documents that it may use to support its claims and defenses in this action is continuing, Motorola reserves the right to supplement this disclosure pursuant to Fed. R. Civ. P. 26(e), and its identification of documents does not waive any privilege that may apply to those documents.

Motorola also reserves the right to refer to and/or introduce any and all demonstrative exhibits prepared in this case, any documents that are generated in this case after the date of this disclosure, including, but not limited to, papers filed with the Court, written discovery, expert reports, correspondence and the like, and any documents not listed above in rebuttal.

- c) A computation of each category of damages claimed by the disclosing party--who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.**

In addition to seeking a permanent injunction, Motorola intends to seek money damages adequate to compensate for Apple's infringement. Motorola intends to calculate those damages on the basis of lost profits and a reasonable royalty on all sales of products that infringe its patents and on sales of services provided in connection with the sales of infringing products. Motorola also intends to seek treble damages and reasonable and necessary attorney's fees. Motorola intends to rely on expert assistance in calculating damages. The information Motorola and its expert(s) need to compute Motorola's damages is not in Motorola's possession and will

need to be obtained through discovery. Consequently, Motorola is unable at this time to provide a computation of its damages.

Motorola does not infringe any claim of any of the Apple patents-in-suit; moreover, the Apple patents-in-suit are invalid and/or unenforceable. As such, Apple is not entitled to any relief.

Motorola's investigation of its claims is ongoing, and it reserves its right to amend this response.

- d) For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.**

On information and belief, Motorola is aware of numerous agreements with parts suppliers and other entities that are related to the products accused by Apple. Motorola is currently unaware of any applicable agreement to be disclosed under Federal Rule of Civil Procedure 26(a)(1)(A)(iv). Motorola's investigation of its claims is ongoing, and it reserves its right to amend this response.

Dated: December 17, 2010

Respectfully submitted,

/s/ Edward J. DeFranco
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 17, 2010, the foregoing document is being served via E-mail this day on all counsel authorized to receive electronic notices through CM/ECF.

By: /s/ Peter G. Hawkins

SERVICE LIST

Motorola Mobility, Inc. v. Apple, Inc.
Case No.: 1:10-23580-CIV-UNGARO/Simonton
United States District Court, Southern District of Florida

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