

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

APPLE INC. and NeXT SOFTWARE,)
 INC. (f/k/a NeXT COMPUTER, INC.),)
)
 Plaintiffs,)
)
 v.)
)
 MOTOROLA, INC. and MOTOROLA)
 MOBILITY, INC.,)
)
 Defendants.)

Case No. 10-CV-662

JURY TRIAL DEMANDED

**DECLARATION OF KEVIN A. SMITH
FOR ADMISSION *PRO HAC VICE***

1. I am an attorney with Quinn Emanuel Urquhart & Sullivan, LLP and am counsel for defendants Motorola, Inc. and Motorola Mobility, Inc. My office is located at:

50 California St., 22nd Floor
 San Francisco, CA 94111
 Telephone: 415-875-6600
 Facsimile: 415-875-6700

2. I am a member in good standing of the State Bars of California and New York. I am currently admitted to practice before the following courts:

- United States District Court, Northern District of California
- United States District Court, Eastern District of California
- United States District Court, Central District of California
- United States District Court, Eastern District of Texas

3. I have never been disbarred by any court.

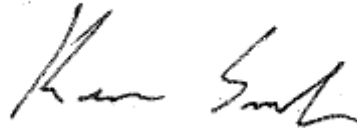
4. I have read the Standards for Professional Conduct for the Western District of Wisconsin and agree to abide by those standards.

5. I have registered for access to CM/ECF in the Western District of Wisconsin.

6. This Declaration is made in support of a motion for my admission *pro hac vice* to appear in this case.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated this 15th day of August, 2011.

A handwritten signature in black ink, appearing to read "Kevin Smith", written in a cursive style.

Kevin A. Smith

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