

EXHIBIT A:**AGREEMENT REGARDING E-MAIL DISCOVERY**

Apple Inc. and NeXT Software, Inc. (collectively, "Apple"), and Motorola Solutions, Inc. and Motorola Mobility, Inc. (collectively, "Motorola"), by and through their respective counsel, agree to the following:

I. Limitation on E-mail Discovery

- A. Apple and Motorola ("the parties") hereby agree to limit discovery of e-mails to those in the possession of identified custodians, as defined below, subject to certain specified exceptions outlined in this agreement.
- B. This agreement does not affect the obligation of the parties to search for and produce relevant, responsive, non-cumulative documents attached to e-mails that the parties know or have reason to believe exist, or electronic documents that are stored separately from e-mail, for example on servers, external hard drives or in databases.

II. Custodians

- A. All named inventors shall be custodians but the obligation of the parties to produce email from inventor-custodians is limited to email during the time period of one year prior to the earliest claimed conception date for any asserted claim of the patent for which the custodian is a named inventor until one year after the issue date of that patent.
- B. Apple and Motorola shall each identify a designated number of additional custodians whom the producing party in good faith believes are likely to have the most relevant e-mails and who collectively are likely to have e-mail collections

broad enough to cover the subject matter of the relevant proceedings. After identification of custodians by the producing party, the receiving party may identify additional custodians from the producing party. The number of identified custodians in the various actions between the parties is specified below.

C. For the purposes of this agreement, the currently pending proceedings between Apple and Motorola will be identified in two groups: (1) USITC Inv. Nos. 337-TA-745, 337-TA-750, and US District Court Case No. 10-CV-661-SLC (W.D.Wis.) (collectively, the "ITC cases"); and (2) US District Court Case Nos. 10-CV-662-BBC (W.D.Wis.), 11-CV-178-BBC (W.D. Wis.), 10-cv-023580-UU (S.D.Fla.), and 10-867-GMS (D.Del.) (collectively, the "District Court cases").

D. The parties will identify the following number of custodians on the following dates:

1. ITC cases:

(a) 10 additional custodians identified by the producing party on March 2, 2011

(b) up to 5 additional custodians identified by the requesting party on or before March 15, 2011 provided the producing party has substantially completed non-email related document production and supplemented all interrogatories seeking the identification of knowledgeable witnesses

2. District Court cases:

(a) 5 additional custodians identified by the producing party on May 20, 2011

(b) up to 5 additional custodians identified by the requesting party on June 3, 2011 provided the producing party has substantially completed non-email related document production and supplemented all interrogatories seeking the identification of knowledgeable witnesses


- E. The identification for each custodian shall include: (1) the custodian's name; (2) the custodian's title; and (3) a short description of the subject matter that the identifying party believes will be covered by the custodian's e-mails.
- F. If a party disagrees with the identification of a custodian, the parties shall meet and confer regarding the identified custodians if requested to do so, and the parties shall make reasonable adjustments to the identified custodians in good faith. If the parties are unable to resolve the dispute, a producing party may file a motion for protective order, which must show that the production of e-mails from the custodian in dispute would be irrelevant, unduly burdensome, or that any relevant information contained in the custodian's e-mails is highly likely to be obtained from other existing custodians or other documents in the producing party's production. The burden of showing the need for a protective order will be on the producing party.
- G. If a requesting party becomes aware of further additional custodians, the parties will meet and confer regarding such further custodians. If the parties are unable to resolve the dispute, the requesting party may file a motion to compel production, which must show that the further custodian is highly likely to have e-mail documents in his/her possession containing relevant information that

cannot be obtained from another existing custodian or other documents in the producing party's production. If the further custodian is first identified after the relevant date for identifying additional custodians, the requesting party must also show that it was not aware of the relevance of the new custodian prior to the date for identifying additional custodians. The burden of showing the need for such additional custodians will be on the requesting party.

III. Scope of Discovery

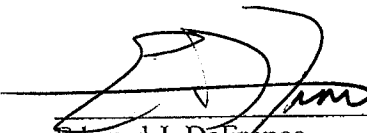
- A. Each producing party will search the e-mails of the identified custodians for responsive documents.
- B. The producing party may limit the search of e-mails to relevant search terms and relevant dates, but these limitations must be disclosed to the requesting party.
- C. If a requesting party disagrees with any search term or date limitations, the parties will meet and confer about such limitations. If the parties are unable to resolve the dispute, the requesting party may file a motion to compel production, which must show that the limitation in dispute is likely to exclude e-mails that are responsive to a discovery request and within the scope of discovery for the relevant proceeding.

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