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 12 Attorneys for Plaintiff and
 Counterclaim-Defendant APPLE INC.

13
 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN JOSE DIVISION

17
 18 APPLE INC., a California corporation,

19 Plaintiff,

20 v.

21 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 22 ELECTRONICS AMERICA, INC., a New York
 corporation; SAMSUNG
 23 TELECOMMUNICATIONS AMERICA, LLC, a
 Delaware limited liability company,

24 Defendants.
 25

Case No. 11-cv-01846-LHK (PSG)

**APPLE'S MOTION FOR LEAVE
 TO FILE MOTION TO
 RECONSIDER ASYMMETRICAL
 SCHEDULE FOR INJUNCTIVE
 RELIEF**

1 Apple moves for leave to file the motion attached hereto as Exhibit A, which seeks
2 reconsideration of the schedule for addressing injunctive relief set by the Court's Orders of
3 August 28 and 29, 2012.

4 Reconsideration is warranted under Civil Local Rule 7(b)(1) because "a material
5 difference in fact" exists from what the parties previously presented to the Court. When the
6 parties addressed the post-trial schedule on August 1, Samsung did not suggest it would seek to
7 dissolve the June 26 injunction based on the jury verdict. (Dkt. No. 1538.) Apple, therefore, did
8 not address the schedule for any such motion. Similarly, when Samsung proposed a schedule for
9 its motion to dissolve the injunction on August 27, Samsung did not argue that the Court should
10 decline to consider Apple's request for a preliminary injunction. (See Dkt. No. 1937.) Thus,
11 Apple never had an opportunity to address the imbalance that results from addressing preliminary
12 injunctive relief in the context of Samsung's motion while declining to address Apple's request
13 for a preliminary injunction at all and delaying the hearing on a permanent injunction until two
14 and a half months later.

15 As explained in the attached motion, Apple's motion for injunctive relief is more urgent
16 than Samsung's request to dissolve the injunction. Samsung's motion certainly should not be
17 addressed before Apple's motion for injunctive relief. Apple requests that the Court grant leave
18 for Apple to file the attached motion for reconsideration so that the imbalance created by the
19 current schedule can be remedied.

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21 Dated: August 30, 2012

MORRISON & FOERSTER LLP

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23 By: /s/ Michael A. Jacobs
Michael A. Jacobs

24 Attorneys for Plaintiff
25 APPLE INC.
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