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CO., LTD., SAMSUNG ELECTRONICS
14 AMERICA, INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC
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16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,

19 Plaintiff,

20 vs.

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

**DECLARATION OF CHRISTOPHER
STRETCH REGARDING SAMSUNG'S
AUGUST 2, 2012 COURTROOM VISIT**

PLAINTIFF'S EXHIBIT NO.2040

United States District Court
Northern District of California
No. 11-CV-01846-LHK (PSG)

Apple Inc. v. Samsung Elecs.

Date Admitted: _____ By: _____

1 I, Christopher Stretch, declare:

2 1. I make this declaration pursuant to the Court's request this morning regarding the
3 August 2, 2012 visit to the Ceremonial Courtroom. I am an attorney with the law firm of Quinn
4 Emanuel Urquhart & Sullivan, LLP, counsel for Samsung Electronics Co., Ltd., Samsung
5 Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively,
6 "Samsung"). I have personal knowledge of the facts set forth in this declaration and, if called
7 upon as a witness, I could and would testify to such facts under oath.

8 2. Under my supervision, I brought five Samsung prospective witnesses, accompanied
9 by two interpreters, and three Samsung in-house attorneys, to see the Ceremonial Courtroom on
10 the afternoon of August 2, 2012. The names of those who accompanied me and their connection
11 to the case are: Sung-Ho Eun (Samsung Inventor); Moon-Sang Jeong (Samsung Inventor);
12 Young-Bum Kim (Samsung Inventor); Jeong-Seok Oh (Samsung Inventor); Gert-Jan Van
13 Lieshout (Samsung Inventor); Sue-Mi Jones (Interpreter); Laura Sunwoo (Interpreter); Edward
14 Kim (Samsung in-house attorney); Rosa Kim (Samsung in-house attorney); and Jeff Myung
15 (Samsung in-house attorney).

16 3. All of the Samsung witnesses listed above are from Korea or the Netherlands, and
17 none had ever seen the inside of a United States District Courthouse before. I could not take
18 them to the courthouse while trial is in session because of the parties' agreement that fact
19 witnesses may not be present in court before they give testimony.

20 4. The Ceremonial Courtroom was locked when we arrived. I went around the
21 corner and rang Judge Fogel's chambers, which are located closest to the Ceremonial Courtroom.
22 I explained to Christian Delaney, the person who answered the intercom, that I was a friend of
23 Judge Breyer's, and that I hoped to show some people the Ceremonial Courtroom. Ms. Delaney
24 came to the door and agreed to let us in. Ms. Delaney remained with us for the entire time we
25 spent in the courtroom, which was approximately ten minutes. At some point during the visit, I
26 explained to Ms. Delaney that I was a member of Samsung's trial team, although I do not recall
27 whether I mentioned that at the outset or later during the visit. None of the individuals in our
28

1 party touched any equipment or materials in the courtroom. They just wanted to see the
2 courtroom. None of the witnesses had seen a federal court before.

3 5. I did not see and do not believe that anyone took any photographs while we were
4 there. I am aware of the posted warnings that photographs are not to be taken inside the
5 Courthouse. I have conferred with others who were with me, and each of them confirmed to me
6 that no photographs were taken.

7 6. Although I am not identified on the "short list" of attorneys who will present
8 witnesses and evidence to the jury, I am a member of Samsung's trial team, and have actively
9 participated in this litigation for the past several months. I am identified on the list of attorneys
10 representing Samsung that was prepared at the Court's direction prior to jury selection. That list
11 can be found at Dkt. 1307.

12 7. I was unaware of any prohibition against visiting the Ceremonial Courtroom when
13 trial is not in session. Had I been aware of such a prohibition, I certainly would have followed it.
14 I apologize for any inconvenience this caused to the Court personnel.

15 I declare under penalty of perjury that the foregoing is true and correct. Executed in San
16 Jose, California on August 3, 2012.

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19 By /s/ Christopher Stretch
20 Christopher Stretch

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GENERAL ORDER ATTESTATION

I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to file the foregoing **DECLARATION OF CHRISTOPHER STRETCH REGARDING SAMSUNG’S AUGUST 2, 2012 COURTROOM VISIT.** In compliance with General Order 45, X.B., I hereby attest that Christopher Stretch has concurred in this filing.

DATE: August 3, 2012

/s/ Victoria F. Maroulis