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15 Attorneys for SAMSUNG ELECTRONICS CO.,
LTD., SAMSUNG ELECTRONICS AMERICA,
16 INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC
17

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
20

21 APPLE INC., a California corporation,
22 Plaintiff,
23 vs.
24 SAMSUNG ELECTRONICS CO., LTD., a
Korean business entity; SAMSUNG
25 ELECTRONICS AMERICA, INC., a New
York corporation; SAMSUNG
26 TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,
27 Defendant.
28

CASE NO. 11-cv-01846-LHK

**CORRECTED DECLARATION OF JOHN
PIERCE IN SUPPORT OF SAMSUNG'S
MOTION FOR JUDGMENT AS A
MATTER OF LAW, NEW TRIAL
AND/OR REMITTITUR PURSUANT TO
FEDERAL RULES OF CIVIL
PROCEDURE 50 AND 59**

**Date: December 6, 2012
Time: 1:30 p.m.
Place: Courtroom 8, 4th Floor
Judge: Hon. Lucy H. Koh**

1 I, John Pierce, declare:

2 1. I am a partner with the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,
3 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung
4 Telecommunications America, LLC (collectively “Samsung”). I have personal knowledge of the
5 facts set forth in this declaration and, if called upon as a witness, I could and would testify to such
6 facts under oath.

7 2. I make this declaration in support of Samsung’s Motion for Judgment as a Matter
8 of Law, New Trial and/or Remittitur Pursuant to Federal Rules of Civil Procedure 50 and 59.

9 3. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from Volume 1
10 of the Transcript of Proceedings (“Trial Transcript”), Pages 1-282, dated July 30, 2012.

11 4. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts from Volume 2
12 of the Trial Transcript, Pages 283-555, dated July 31, 2012.

13 5. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts from Volume 3
14 of the Trial Transcript, Pages 556-930, dated August 3, 2012.

15 6. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from Volume 4
16 of the Trial Transcript, Pages 931-1296, dated August 6, 2012.

17 7. Attached hereto as **Exhibit 5** is a true and correct copy of excerpts from Volume 5
18 of the Trial Transcript, Pages 1297-1637, dated August 7, 2012.

19 8. Attached hereto as **Exhibit 6** is a true and correct copy of excerpts from Volume 6
20 of the Trial Transcript, Pages 1638-1988, dated August 10, 2012.

21 9. Attached hereto as **Exhibit 7** is a true and correct copy of excerpts from Volume 7
22 of the Trial Transcript, Pages 1989-2320, dated August 13, 2012.

23 10. Attached hereto as **Exhibit 8** is a true and correct copy of excerpts from Volume 8
24 of the Trial Transcript, Pages 2321-2650, dated August 14, 2012.

25 11. Attached hereto as **Exhibit 9** is a true and correct copy of excerpts from Volume 9
26 of the Trial Transcript, Pages 2651-2965, dated August 15, 2012.

27 12. Attached hereto as **Exhibit 10** is a true and correct copy of excerpts from Volume
28 10 of the Trial Transcript, Pages 2966-3386, dated August 16, 2012.

1 13. Attached hereto as **Exhibit 11** is a true and correct copy of excerpts from Volume
2 11 of the Trial Transcript, Pages 3387-3711, dated August 17, 2012.

3 14. Attached hereto as **Exhibit 12** is a true and correct copy of excerpts from Volume
4 12 of the Trial Transcript, Pages 3712-3940, dated August 18, 2012.

5 15. Attached hereto as **Exhibit 13** is a true and correct copy of excerpts from the
6 transcript of the April 24, 2012 deposition of Peter Bressler.

7 16. Attached hereto as **Exhibit 14** is a true and correct copy of Plaintiff's Trial
8 Exhibit 25A1.

9 17. Attached hereto as **Exhibit 15** is a true and correct copy of Plaintiff's Trial
10 Exhibit 34.

11 18. Attached hereto as **Exhibit 16** is a true and correct copy of Plaintiff's Trial
12 Exhibit 52.

13 19. Attached hereto as **Exhibit 17** is a true and correct copy of Plaintiff's Trial
14 Exhibit 69.

15 20. Attached hereto as **Exhibit 18** is a true and correct copy of Plaintiff's Trial
16 Exhibit 79.

17 21. Attached hereto as **Exhibit 19** is a true and correct copy of Plaintiff's Trial
18 Exhibit 81.

19 22. Attached hereto as **Exhibit 20** is a true and correct copy of Plaintiff's Trial
20 Exhibit 180

21 23. Attached hereto as **Exhibit 21** is a true and correct copy of Plaintiff's Trial
22 Exhibit 194.

23 24. Attached hereto as **Exhibit 22** is a true and correct copy of Plaintiff's Trial
24 Exhibit 218.

25 25. Attached hereto as **Exhibit 23** is a true and correct copy of Defendants' Trial
26 Exhibit 511.

27 26. Attached hereto as **Exhibit 24** is a true and correct copy of Defendants' Trial
28 Exhibit 533.

1 27. Attached hereto as **Exhibit 25** is a true and correct copy of Defendants' Trial
2 Exhibit 550.

3 28. Attached hereto as **Exhibit 26** is a true and correct copy of Defendants' Trial
4 Exhibit 561.

5 29. Attached hereto as **Exhibit 27** is a true and correct copy of Defendants' Trial
6 Exhibit 592.

7 30. **Exhibit 28** is a Defendants' Trial Exhibit 645, which is a compilation of source
8 code and is in the Court's files. (*See* Dkt. No. 1947.)

9 31. Attached hereto as **Exhibit 29** is a true and correct copy of Defendants' Trial
10 Exhibit 712.

11 32. Attached hereto as **Exhibit 30** is a true and correct copy of Defendants' Trial
12 Exhibit 727.

13 33. Attached hereto as **Exhibit 31** is a true and correct copy of Defendants' Trial
14 Exhibit 728.

15 34. Attached hereto as **Exhibit 32** is a true and correct copy of Defendants' Trial
16 Exhibit 800.

17 35. Attached hereto as **Exhibit 33** is a true and correct copy of Defendants' Trial
18 Exhibit 805.

19 36. Attached hereto as **Exhibit 34** is a true and correct copy of Defendants' Trial
20 Exhibit 810.

21 37. Attached hereto as **Exhibit 35** is a true and correct copy of Joint Trial
22 Exhibit 1046.

23 38. Attached hereto as **Exhibit 36** is a true and correct copy of Joint Trial
24 Exhibit 1069.

25 39. Attached hereto as **Exhibit 37** is a true and correct copy of Joint Trial
26 Exhibit 1070.

27 40. Attached hereto as **Exhibit 38** is a true and correct copy of Joint Trial
28 Exhibit 1073.

1 41. Attached hereto as **Exhibit 39** is a true and correct copy of Joint Trial
2 Exhibit 1081.

3 42. **Exhibit 40** is Joint Trial Exhibit 1093, which is a physical object and is in the
4 Court's files. (See Dkt. No. 1947.)

5 43. Attached hereto as **Exhibit 41** is a true and correct copy of Joint Trial
6 Exhibit 1500.

7 44. Attached hereto as **Exhibit 42** is a true and correct copy of an excerpt from the
8 presentation slides used during closing arguments, Defendants' Trial Demonstrative Exhibit
9 5010.167.

10 45. Attached hereto as **Exhibit 43** is a true and correct copy of the presentation slides
11 used during closing arguments, consisting of SDX 5010.001-.002; .005-.014; .017-.031; .033-
12 .055; .069-.086; .092-.098; .100-.105; .107-.116; .118-.122; .125-.126; .129-.131; .135-.139; .141;
13 .143-.146; .148; .150-.154; .157-.165; .167-.170; .172-.174; .177-.178; .203-.204; .207-.210; .202;
14 .214-.241; .243-.254; .258-.285; .290-.293; .296-.297; .300-.315; .317; .352-.390; .394; .396-.397;
15 .399-.402; .405-.406; .408-.415; .419; PDX 45.12; and PDX 45.06.

16 46. Attached hereto as **Exhibit 44** is a true and correct copy of Joint Trial
17 Exhibit 1044.

18 47. Attached hereto as **Exhibit 45** is a true and correct copy of an excerpt from
19 Plaintiff's Trial Demonstrative Exhibit 26.

20 48. Attached hereto as **Exhibit 46** is a true and correct copy of an excerpt from
21 Plaintiff's Trial Demonstrative Exhibit 34B.

22 49. Attached hereto as **Exhibit 47** is a true and correct copy of Defendants' Trial
23 Exhibit 781.

24 50. Attached hereto as **Exhibit 48** is a true and correct copy of Defendants' Trial
25 Exhibit 572.82.

26 51. Attached hereto as **Exhibit 49** is a true and correct copy of Defendants' Trial
27 Exhibit 807.

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1 I declare under penalty of perjury that the foregoing is true and correct. Executed in Los
2 Angeles, California on September 21, 2012.

3 /s/ John Pierce

4 John Pierce

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GENERAL ORDER ATTESTATION

I, Susan R. Estrich, am the ECF user whose ID and password are being used to file the foregoing document. I hereby attest pursuant to General Order 45.X.B. that concurrence in the electronic filing of this document has been obtained from John Pierce.

/s/ Susan R. Estrich