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Attorneys for Plaintiff and
Counterclaim-Defendant Apple Inc.

12 **United States District Court**
13 **Northern District of California**
14 **San Jose Division**

14 APPLE INC., a California corporation,
15 Plaintiff,

15 vs.

16 SAMSUNG ELECTRONICS CO., LTD., a
Korean business entity, SAMSUNG
17 ELECTRONICS AMERICA, INC., a New
York corporation, and SAMSUNG
18 TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,

19 Defendants.

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

24 Counterclaim-Plaintiffs,

25 v.

26 APPLE INC., a California corporation,
27 Counterclaim-Defendant.

Civil Action No. 11-CV-01846-LHK

**DECLARATION OF SAMUEL J.
MASELLI IN SUPPORT OF APPLE
INC.'S OPPOSITION TO SAMSUNG'S
MOTION TO COMPEL DISCOVERY**

Date: January 19, 2012
Time: 10:00am

ORAL ARGUMENT REQUESTED

SUBMITTED UNDER SEAL

1 I, Samuel J. Maselli, hereby declare as follows:

2 1. I am an attorney at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP,
3 counsel for Apple Inc. (“Apple”) in the above-referenced litigation. I am licensed to practice law
4 in the State of California, and am admitted to practice before the U.S. District Court for the
5 Northern District of California. I am familiar with the facts set forth herein, and, if called as a
6 witness, I could and would testify competently to those facts under oath.

7
8 2. The parties have exchanged various correspondence regarding the production of
9 source code for the accused Apple products. Attached as Exhibit A is a true and correct copy of
10 a letter from me to Melissa Chan (counsel for Samsung) dated December 6, 2011. Attached as
11 Exhibit B is a true and correct copy of a letter from Diane Hutnyan (counsel for Samsung) to Mia
12 Mazza (counsel for Apple) dated January 2, 2012. Attached as Exhibit C is a true and correct
13 copy of an email from Peter Kolovos (counsel for Apple) to Diane Hutnyan dated January 3,
14 2012. Attached as Exhibit D is a true and correct copy of a letter from Mia Mazza to Charles
15 Verhoeven (counsel for Samsung) dated January 7, 2012.

16
17 3. We understand that counsel for Samsung and Intel have been in communication
18 since at least December 22, 2011 about the production of Intel’s baseband source code for
19 Apple’s accused products. Attached as Exhibit E is a true and correct copy of a letter from
20 Christopher Kelly (counsel for Intel) to Todd Briggs (counsel for Samsung) sent on January 13,
21 2012.

22
23 4. With its patent local rule disclosures, Apple produced detailed schematics,
24 schematic board diagrams, and programming guides for the accused Apple products. These
25 documents show circuit schematics, pin layouts, and subcomponents of the accused products,
26 and include a comprehensive guide on programming in iOS. Apple’s production of technical
27
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1 documents related to the accused Apple products has continued both in this action and a related
2 action between the parties -- to date, Apple's total production across both United States cases
3 includes over four million pages of documents relevant to this action from the files of Apple
4 engineers whose work relates to the accused Apple products. These materials include additional
5 schematics, bills of material, specifications, testing data, certification documentation, project
6 build status information and data, and email correspondence concerning accused product
7 technical issues.
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9
10 5. With respect to technical documents relating to the Intel baseband processor chips
11 used in the accused Apple products, on January 11, 2012, Intel provided Apple consent to
12 produce to Samsung those Intel documents that Apple has located thus far (as reflected in
13 Exhibit E). Apple will be producing over 21,000 pages of these documents to Samsung this
14 week. These documents reflect information about the operation of the baseband chips in the
15 accused Apple products and also include communications between Apple's and Intel's engineers,
16 such as:
17

- 18 • Presentations regarding the baseband chips used in the original iPhone, iPhone 3G, and
19 iPhone 3GS;
- 20 • Progress reports regarding the design and implementation of the chips in the original
21 iPhone, the iPhone 3G, and the iPhone 3GS, including hardware delivery schedules,
22 project plans, and test results;
- 23 • Detailed technical specifications, design specifications and manuals;
- 24 • Detailed manuals regarding specific functionality of the chips, including the Layer 1
25 software stack and Layer 2 AT command interface;
- 26 • Emails between Apple and Intel engineers detailing bug identification, tracking, and
27 resolution; and
- 28 • Presentations regarding chip packaging, structure, and RF design.

1 I declare under penalty of perjury that the foregoing is true and correct to the best of my
2 knowledge. Executed on this 17th day of January, 2012, in Palo Alto, California.
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5 Dated: January 17, 2012

/s/ Samuel J. Maselli
Samuel J. Maselli

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ATTESTATION OF E-FILED SIGNATURE

I, Richard S.J. Hung, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Samuel J. Maselli has concurred in this filing.

Dated: January 17, 2012

/s/ Richard S.J. Hung
Richard S.J. Hung