

**EXHIBIT Q**  
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December 30, 2011

**VIA E-MAIL**

Jason Bartlett  
Morrison & Foerster LLP  
425 Market St.  
San Francisco, CA 94105-2482

Re: *Apple v. Samsung Electronics, et al.*, No. 5:11-cv-01846-LHK (N.D. Cal.)

Dear Jason:

I write regarding certain documents identified during Sissie Twiggs' deposition. We have received sixteen spreadsheets, *Bates Nos.* APLNDC0000035792-36079, that appear to be the advertising spend spreadsheets Ms. Twiggs testified about during her deposition. (*See, e.g.*, Twiggs Dep. Trans. ("Twiggs") 12:19-23; 26:14-27:3). Please confirm that Apple has produced all similar spreadsheets documenting advertising spending for each year since 2006 for all versions of the iPhone and iPad products or, if it has not, please confirm that Apple will complete this production by no later than January 10, 2012.

We are still not able to locate all the documents about which Ms. Twiggs testified. Specifically, we have not been able to locate, and request *immediate* production of:

- All media plans for all ads and ad campaigns regarding any version of the iPhone and iPad products. (*See, e.g.*, 27:10-21; 28:3 (general description of the document); 28:11-29: 4 and 114:11-18 (new media plan for each generation of products and each product—e.g., iPhone 2, iPhone 3, and iPad2); and 28:24-29:25 (contains demographic targeting information)).
- Documents having, defining, or evidencing agreements with Apple's advertising agency regarding the parameters, requirements, and estimates for annual spending on media buying

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for any version of the iPhone and iPad products. (Twiggs 30:1-22).

- All presentations and emails regarding advertising "builds," as described by Ms. Twiggs, related to any version of the iPhone and iPad products. (Twiggs 35:15-37:25).
- All documents related to any version of the iPhone and iPad products used, viewed, edited, or otherwise utilized by Ms. Twiggs to decide when, or during which television program, a particular television advertisement will be shown, and all documents used to communicate such decisions. (Twiggs 43:14-447).
- All documents related to indicating the number of times an online ad regarding any version of the iPhone and iPad products, is "clicked on" by a user. (Twiggs 45:24-46:19).
- All documents related to any version of the iPhone and iPad products, indicating any type of advertisement tracking for each "engagement," as described by Ms. Twiggs. (Twiggs 47:17-22).
- All documents related to tracking "impressions" for any type of advertising regarding any version of the iPhone and iPad products, as described by Ms. Twiggs. (*See, e.g.*, Twiggs 48:13-17; 65:9-14 (2007 iPhone ads); 74:22-25 (2010 iPhone ad with facetime ads); 138:23-139:2 (iPhone television ad)).
- All documents with information regarding the number of, and amount spent on advertising featuring any version of the iPhone and iPad products. (*See* Twiggs 86:5-6) ("We have a lot of information regarding our – our advertising, how much we did.").
- All documents regarding demographic studies regarding any version of the iPhone and iPad products. (Twiggs 108:5-6).

For the purposes of this letter, unless otherwise indicated, "iPhone" refers to all versions of the iPhone, *e.g.*, iPhone 2, iPhone 3, iPhone3S, and iPhone4, and "iPad" refers to both the iPad and iPad2.

It is Samsung's view that these documents should have been produced before Ms. Twigg's deposition, as they were, and remain, relevant to issues considered during the Court's Preliminary Injunction hearing. Further, Ms. Twigg's testimony indicates these documents contain highly relevant information required for Samsung's case and defense, as well as information speaking directly to damages. Samsung has been, and continues to be prejudiced without this information. Samsung can no longer wait for Apple to decide if and when it will produce these documents.

We have not been able to locate or identify any of the documents that are the subject of this letter, but understand that Ms. Twiggs may not be the custodian of these documents. If this is the case, please identify the custodian of each type of document. If Apple has produced the documents, please identify the documents by Bates number. If Apple has not produced such documents, please notify Samsung before the close of business tomorrow, when, prior to January 5, 2012, Apple is available to further meet and confer about this request. Absent a firm

commitment to produce these documents by January 10, Samsung will include this request on the January 5 lead counsel meet-and-confer.

Very Kind Regards,

/s/

Kenneth K. Suh