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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

v.

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

Defendants.

Case No. 11-cv-01846-LHK

**APPLE'S OPPOSITION TO
SAMSUNG'S MOTION TO
SHORTEN TIME FOR BRIEFING
REGARDING SAMSUNG'S
MOTION TO STRIKE**

1 Apple filed its motion for judgment as a matter of law on September 21. After waiting for
2 two full weeks, Samsung moves to strike materials from five declarations that Apple attached to
3 its JMOL motion. Samsung also requests that the Court expedite its consideration of its motion
4 to strike, such that Apple has just two business days to respond.

5 There is no legitimate reason for Samsung’s request for such a highly expedited schedule.
6 Samsung, not Apple, inexplicably waited two weeks to raise its motion to strike with the Court.
7 The burden of any exigency caused by Samsung’s delay in bringing its motion therefore should
8 fall on Samsung—not the Court or Apple. The Court thus should deny Samsung’s request to
9 expedite and consider its motion to strike on the normal briefing schedule under Civil Local Rules
10 7-2 and 7-3.

11 If the Court is inclined to expedite Samsung’s motion despite its lengthy delay, Apple
12 respectfully requests more than two business days to respond to Samsung’s motion. In particular,
13 Apple proposes that its response be due by October 12, 2012, that Samsung not be permitted to
14 submit a reply, and that the Court resolve the matter without a hearing.

15 Dated: October 5, 2012

MORRISON & FOERSTER LLP

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By: /s/ Michael A. Jacobs
MICHAEL A. JACOBS

Attorneys for Plaintiff
APPLE INC.