

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP  
Charles K. Verhoeven (Bar No. 170151)  
2 charlesverhoeven@quinnemanuel.com  
50 California Street, 22<sup>nd</sup> Floor  
3 San Francisco, California 94111  
Telephone: (415) 875-6600  
4 Facsimile: (415) 875-6700

5 Kathleen M. Sullivan (Bar No. 242261)  
kathleensullivan@quinnemanuel.com  
6 Kevin P.B. Johnson (Bar No. 177129)  
kevinjohnson@quinnemanuel.com  
7 Victoria F. Maroulis (Bar No. 202603)  
victoriamaroulis@quinnemanuel.com  
8 555 Twin Dolphin Drive, 5<sup>th</sup> Floor  
Redwood Shores, California 94065-2139  
9 Telephone: (650) 801-5000  
Facsimile: (650) 801-5100

10 Susan R. Estrich (Bar No. 124009)  
susanestrich@quinnemanuel.com  
11 Michael T. Zeller (Bar No. 196417)  
michaelzeller@quinnemanuel.com  
12 865 S. Figueroa St., 10th Floor  
13 Los Angeles, California 90017  
Telephone: (213) 443-3000  
14 Facsimile: (213) 443-3100

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

**DECLARATION OF JOHN PIERCE IN  
SUPPORT OF SAMSUNG'S OPPOSITION  
TO APPLE'S MOTION FOR JUDGMENT  
AS A MATTER OF LAW, NEW TRIAL,  
AND AMENDED JUDGMENT**

**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 Opposition to Apple's Motion for  
8 Judgment as a Matter of Law, New Trial, and Amended Judgment.

9 3. Attached hereto as **Exhibit 1** is a true and correct copy of excerpts from Volume 2  
10 of the Trial Transcript, Pages 283-555, dated July 31, 2012.

11 4. Attached hereto as **Exhibit 2** is a true and correct copy of excerpts from Volume 3  
12 of the Trial Transcript, Pages 556-930, dated August 3, 2012.

13 5. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts from Volume 4  
14 of the Trial Transcript, Pages 931-1296, dated August 6, 2012.

15 6. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from Volume 5  
16 of the Trial Transcript, Pages 1297-1637, dated August 7, 2012.

17 7. Attached hereto as **Exhibit 5** is a true and correct copy of excerpts from Volume 6  
18 of the Trial Transcript, Pages 1638-1988, dated August 10, 2012.

19 8. Attached hereto as **Exhibit 6** is a true and correct copy of excerpts from Volume 7  
20 of the Trial Transcript, Pages 1989-2320, dated August 13, 2012.

21 9. Attached hereto as **Exhibit 7** is a true and correct copy of excerpts from Volume 8  
22 of the Trial Transcript, Pages 2321-2650, dated August 14, 2012.

23 10. Attached hereto as **Exhibit 8** is a true and correct copy of excerpts from Volume 9  
24 of the Trial Transcript, Pages 2651-2965, dated August 15, 2012.

25 11. Attached hereto as **Exhibit 9** is a true and correct copy of excerpts from Volume 10  
26 of the Trial Transcript, Pages 2966-3386, dated August 16, 2012.

27 12. Attached hereto as **Exhibit 10** is a true and correct copy of excerpts from Volume  
28 11 of the Trial Transcript, Pages 3387-3711, dated August 17, 2012.

1           13.     Attached hereto as **Exhibit 11** is a true and correct copy of excerpts from Volume  
2 13 of the Trial Transcript, Pages 3941-4264, dated August 21, 2012.

3           14.     Attached hereto as **Exhibit 12** is a true and correct copy of Plaintiff’s Trial  
4 Exhibit 11.

5           15.     Attached hereto as **Exhibit 13** is a true and correct copy of Plaintiff’s Trial  
6 Exhibit 25A1.

7           16.     Attached hereto as **Exhibit 14** is a true and correct copy of Plaintiff’s Trial  
8 Exhibit 54.

9           17.     Attached hereto as **Exhibit 15** is a true and correct copy of Plaintiff’s Trial  
10 Exhibit 59.

11          18.     Attached hereto as **Exhibit 16** is a true and correct copy of Plaintiff’s Trial  
12 Exhibit 60.

13          19.     Attached hereto as **Exhibit 17** is a true and correct copy of Plaintiff’s Trial  
14 Exhibit 74

15          20.     Attached hereto as **Exhibit 18** is a true and correct copy of Plaintiff’s Trial  
16 Exhibit 80.

17          21.     Attached hereto as **Exhibit 19** is a true and correct copy of Plaintiff’s Trial  
18 Exhibit 113.

19          22.     Attached hereto as **Exhibit 20** is a true and correct copy of Plaintiff’s Trial Exhibit  
20 122.

21          23.     Attached hereto as **Exhibit 21** is a true and correct copy of Plaintiff’s Trial Exhibit  
22 128.

23          24.     Attached hereto as **Exhibit 22** is a true and correct copy of Defendants’ Trial  
24 Exhibit 562.

25          25.     Attached hereto as **Exhibit 23** is a true and correct copy of Defendants’ Trial  
26 Exhibit 613.

27          26.     Attached hereto as **Exhibit 24** is a true and correct copy of Defendants’ Trial  
28 Exhibit 630.

1           27.     Attached hereto as **Exhibit 25** is a true and correct copy of Defendants’ Trial  
2 Exhibit 687.

3           28.     Attached hereto as **Exhibit 26** is a true and correct copy of Defendants’ Trial  
4 Exhibit 712.

5           29.     Attached hereto as **Exhibit 27** is a true and correct copy of Defendants’ Trial  
6 Exhibit 740.

7           30.     Attached hereto as **Exhibit 28** is a true and correct copy of Defendants’ Trial  
8 Exhibit 741.

9           31.     Attached hereto as **Exhibit 29** is a true and correct copy of Defendants’ Trial  
10 Exhibit 781.

11          32.     Attached hereto as **Exhibit 30** is a true and correct copy of Defendants’ Trial  
12 Exhibit 900.

13          33.     **Exhibit 31** is Defendants’ Trial Exhibit 2526, which is a physical object and is in  
14 the Court’s files. (*See* Dkt. No. 1947.)

15          34.     **Exhibit 32** is Defendants’ Trial Exhibit 2529, which is a physical object and is in  
16 the Court’s files. (*See* Dkt. No. 1947.)

17          35.     Attached hereto as **Exhibit 33** is a true and correct copy of Defendants’ Trial  
18 Exhibit 2627.

19          36.     **Exhibit 34** is Joint Trial Exhibit 1004, which is a physical object in the Court’s  
20 files. (*See* Dkt. No. 1947.)

21          37.     **Exhibit 35** is Joint Trial Exhibit 1007, which is a physical object in the Court’s  
22 files. (*See* Dkt. No. 1947.)

23          38.     **Exhibit 36** is Joint Trial Exhibit 1009, which is a physical object in the Court’s  
24 files. (*See* Dkt. No. 1947.)

25          39.     **Exhibit 37** is Joint Trial Exhibit 1010, which is a physical object in the Court’s  
26 files. (*See* Dkt. No. 1947.)

27          40.     **Exhibit 38** is Joint Trial Exhibit 1011, which is a physical object in the Court’s  
28 files. (*See* Dkt. No. 1947.)

1           41.     **Exhibit 39** is Joint Trial Exhibit 1012, which is a physical object in the Court's  
2 files. (See Dkt. No. 1947.)

3           42.     **Exhibit 40** is Joint Trial Exhibit 1013, which is a physical object in the Court's  
4 files. (See Dkt. No. 1947.)

5           43.     **Exhibit 41** is Joint Trial Exhibit 1014, which is a physical object in the Court's  
6 files. (See Dkt. No. 1947.)

7           44.     **Exhibit 42** is Joint Trial Exhibit 1015, which is a physical object in the Court's  
8 files. (See Dkt. No. 1947.)

9           45.     **Exhibit 43** is Joint Trial Exhibit 1016, which is a physical object in the Court's  
10 files. (See Dkt. No. 1947.)

11          46.     **Exhibit 44** is Joint Trial Exhibit 1019, which is a physical object in the Court's  
12 files. (See Dkt. No. 1947.)

13          47.     **Exhibit 45** is Joint Trial Exhibit 1020, which is a physical object in the Court's  
14 files. (See Dkt. No. 1947.)

15          48.     **Exhibit 46** is Joint Trial Exhibit 1022, which is a physical object in the Court's  
16 files. (See Dkt. No. 1947.)

17          49.     **Exhibit 47** is Joint Trial Exhibit 1023, which is a physical object in the Court's  
18 files. (See Dkt. No. 1947.)

19          50.     **Exhibit 48** is Joint Trial Exhibit 1024, which is a physical object in the Court's  
20 files. (See Dkt. No. 1947.)

21          51.     **Exhibit 49** is Joint Trial Exhibit 1025, which is a physical object in the Court's  
22 files. (See Dkt. No. 1947.)

23          52.     **Exhibit 50** is Joint Trial Exhibit 1026, which is a physical object in the Court's  
24 files. (See Dkt. No. 1947.)

25          53.     **Exhibit 51** is Joint Trial Exhibit 1027, which is a physical object in the Court's  
26 files. (See Dkt. No. 1947.)

27          54.     **Exhibit 52** is Joint Trial Exhibit 1028, which is a physical object in the Court's  
28 files. (See Dkt. No. 1947.)

1           55.     **Exhibit 53** is Joint Trial Exhibit 1030, which is a physical object in the Court's  
2 files. (See Dkt. No. 1947.)

3           56.     **Exhibit 54** is Joint Trial Exhibit 1031, which is a physical object in the Court's  
4 files. (See Dkt. No. 1947.)

5           57.     **Exhibit 55** is Joint Trial Exhibit 1032, which is a physical object in the Court's  
6 files. (See Dkt. No. 1947.)

7           58.     **Exhibit 56** is Joint Trial Exhibit 1033, which is a physical object in the Court's  
8 files. (See Dkt. No. 1947.)

9           59.     **Exhibit 57** is Joint Trial Exhibit 1034, which is a physical object in the Court's  
10 files. (See Dkt. No. 1947.)

11          60.     **Exhibit 58** is Joint Trial Exhibit 1035, which is a physical object in the Court's  
12 files. (See Dkt. No. 1947.)

13          61.     **Exhibit 59** is Joint Trial Exhibit 1036, which is a physical object in the Court's  
14 files. (See Dkt. No. 1947.)

15          62.     **Exhibit 60** is Joint Trial Exhibit 1037, which is a physical object in the Court's  
16 files. (See Dkt. No. 1947.)

17          63.     **Exhibit 61** is Joint Trial Exhibit 1038, which is a physical object in the Court's  
18 files. (See Dkt. No. 1947.)

19          64.     Attached hereto as **Exhibit 62** is a true and correct copy of Joint Trial  
20 Exhibit 1039.

21          65.     Attached hereto as **Exhibit 63** is a true and correct copy of Joint Trial  
22 Exhibit 1040.

23          66.     Attached hereto as **Exhibit 64** is a true and correct copy of Joint Trial  
24 Exhibit 1043.

25          67.     Attached hereto as **Exhibit 65** is a true and correct copy of Joint Trial  
26 Exhibit 1500.

27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I declare under penalty of perjury that the foregoing is true and correct. Executed in Los Angeles, California on October 19, 2012.

/s/ John Pierce

John Pierce

