

1 DAVID S. BLOCH (SBN: 184530)
 dbloch@winston.com
 2 JENNIFER A. GOLINVEAUX (SBN: 203056)
 jgolinveaux@winston.com
 3 MARCUS T. HALL (SBN: 206495)
 mthall@winston.com
 4 WINSTON & STRAWN LLP
 101 California Street
 5 San Francisco, CA 94111-5894
 Telephone: (415) 591-1000
 6 Facsimile: (415) 591-1400

7 PETER J. CHASSMAN (*pro hac vice*)
 pchassman@winston.com
 8 WINSTON & STRAWN LLP
 1111 Louisiana, 25th Floor
 9 Houston, TX 77002-5242
 Telephone: (713) 651-2623
 10 Facsimile: (713) 651-2700

11 Attorneys for Non-Party,
 MOTOROLA MOBILITY LLC
 12

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

16 APPLE, INC., a California Corporation,)

17 Plaintiff,)

18 v.)

19 SAMSUNG ELECTRONICS CO., LTD., a)
 20 Korean corporation; SAMSUNG)
 21 ELECTRONICS AMERICA, INC., a New York)
 corporation; SAMSUNG)
 22 TELECOMMUNICATIONS AMERICA, LLC, a)
 Delaware limited liability company,)

23 Defendants.)

CASE NO.: 11-CV-01846-LHK

**DECLARATION OF
 PETER J. CHASSMAN IN
 SUPPORT OF MOTOROLA
 MOBILITY LLC'S MOTION FOR
 RELIEF FROM NONDISPOSITIVE
 ORDER OF MAGISTRATE JUDGE**

[Civ. L.R. 79-5]

Date: Expedited Request
 Courtroom: 8, 4th Floor
 Judge: Hon. Lucy H. Koh

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DECLARATION OF PETER J. CHASSMAN

I, Peter J. Chassman, declare and state:

1. I am an attorney at law and a partner at Winston & Strawn LLP, counsel for nonparty Motorola Mobility LLC (“Motorola”). I submit this declaration in support of Motorola Mobility LLC’s Motion For Relief From Nondispositive Order of Magistrate Judge. I have personal knowledge of the matters set forth herein, and if called as a witness, could and would competently testify thereto.

2. On September 18, 2012, Magistrate Judge Grewal issued his Order addressing a number of Apple’s and Samsung’s outstanding sealing motions, and in that order denied Apple’s request to seal Exhibit 23, which is the subject of Motorola’s Motion For Relief From Nondispositive Order of Magistrate Judge, on the grounds that Samsung, as the designating party, had “failed to provide a particularized showing that specific harm will result if the information is made publicly available,” under the lower “good cause” standard. (Dkt. 1978 at 3, 16.) Motorola, as a nonparty to this case, only learned of the order and the issue concerning Exhibit 23 on October 2, 2012, when counsel for Samsung sent me an e-mail notifying me of the issue. A true and correct copy of the October 2, 2012 e-mail I received from Samsung’s counsel is attached as Exhibit A.

3. Attached hereto as Exhibit B is a true and correct copy of Exhibit 23, highlighting the redactions requested by Motorola in the event that the Court denies Motorola’s request that the entire document be filed under seal.

I declare under the penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 23rd day of October, 2012, in Houston, Texas.

/s/ Peter J. Chassman
Peter J. Chassman

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1 Pursuant to Civil L.R. 5-1(i)(3), the below filer attests that concurrence in the filing of
2 this document has been obtained from the above Signatory.

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Dated: October 23, 2012

/s/ Jennifer A. Golinveaux
Jennifer A. Golinveaux

EXHIBIT A

From: Melissa Dalziel [mailto:melissadalziel@quinnemanuel.com]
Sent: Tuesday, October 02, 2012 01:55 PM
To: Chassman, Pete
Cc: Jon Steiger <jonsteiger@quinnemanuel.com>; Prashanth Chennakesavan <prashanthchennakesavan@quinnemanuel.com>
Subject: Apple v. Samsung - Motorola CBI

Dear Pete:

Pursuant to the attached order, Apple and Samsung are required to file publicly numerous documents to which the court denied sealing today. As we reviewed that documents that Apple will be filing publicly, we noticed a document that refers to Motorola, which Motorola may wish to seal. If Motorola would like the opportunity to move to seal ECF 0737-13c, please let me know and I will ask Apple not to file the document today, so that Motorola will have an opportunity to file its sealing motion. Alternatively, if you would prefer to contact Apple directly, my understanding is that Nathan Sabri at MoFo will be handling Apple's filing. His email address is NSabri@mofo.com.

Best regards, Melissa

Melissa Dalziel
Of Counsel
Quinn Emanuel Urquhart & Sullivan, LLP
865 S. Figueroa Street, 10th Floor
Los Angeles, CA 90017
213-443-3110 Direct
213-443-3000 Main Office Number
213-443-3100 Fax
melissadalziel@quinnemanuel.com
www.quinnemanuel.com

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EXHIBIT B – REDACTED
LODGED WITH THE CLERK

**PROPOSED REDACTED VERSION OF
DOCUMENT IDENTIFIED AS
EXHIBIT 23 TO THE DECLARATION OF
CALVIN WALDEN ISO APPLE'S MOTION TO
COMPEL DEPOSITIONS OF SAMSUNG'S
PURPORTED "APEX" WITNESSES**