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5 Attorneys for  
SAMSUNG ELECTRONICS CO., LTD.,  
6 SAMSUNG ELECTRONICS AMERICA, INC.,  
and SAMSUNG TELECOMMUNICATIONS AMERICA, LLC  
7

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 APPLE INC., a California corporation,

12 Plaintiff,

13 vs.

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

17 Defendants.  
18

CASE NO. 11-cv-01846-LHK (PSG)

**DECLARATION OF DARYL M. CRONE  
IN SUPPORT OF SAMSUNG'S MOTION  
TO COMPEL PRODUCTION OF  
SETTLEMENT AGREEMENT WITH  
HTC**

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1 I, Daryl M. Crone, declare as follows:

2 1. I am a member of the bar of the State of California and a partner at Crone  
3 Hawxhurst LLP, counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc.,  
4 and Samsung Telecommunications America, LLC (collectively “Samsung”). I make this  
5 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and  
6 would testify competently thereto.

7 2. Attached hereto as **Exhibit 1** is a true and correct copy of a series of emails  
8 between Robert Becher, counsel for Samsung, and Richard Hung, counsel for Apple, dated  
9 between November 12, 2012 and November 16, 2012. Mr. Becher asked if Apple would produce  
10 its recent license agreement with HTC. On November 16, 2012, Apple told Samsung that it  
11 “intends to produce the HTC agreement”, but that it must give HTC 10 days’ notice pursuant to  
12 the terms of the license agreement. However, I am informed and believe that Apple did not agree  
13 to Samsung’s request that it stipulate that it would produce the license within 10 days. The parties  
14 were able to agree on a shortened briefing schedule for this motion.

15 3. Attached hereto as **Exhibit 2** is a true and correct copy of a news article entitled  
16 “Apple, HTC Settle Patent Dispute, Sign Licensing Pact” from the Wall Street Journal, dated  
17 November 11, 2012.

18 4. Attached hereto as **Exhibit 3** is a true and correct copy of the Complaint of Apple  
19 Inc. Under Section 337 of the Tariff Act against HTC, dated July 8, 2011.

20  
21 I declare under penalty of perjury under the laws of the United States of America  
22 that the foregoing is true and correct.

23 Executed on November 16, 2012, at Los Angeles, California.

24  
25 \_\_\_\_\_  
26 /s/ Daryl M. Crone  
27 Daryl M. Crone  
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