

Exhibit A

From: [Hung, Richard S. J.](mailto:Richard.S.J.Hung@mofo.com)
To: Robert Becher; "Masurovsky, Laura"
Cc: "Alison, John"; "Daryl Crone"; AvSSNDCPostTrial; "WHAppleSamsungNDCalService@wilmerhale.com"; Samsung v. Apple; Jacobs, Michael A.; "McCauley, Robert"; "Mosko, Scott"
Subject: RE: HTC-Apple redacted agreement
Date: Wednesday, December 05, 2012 12:40:49 PM
Attachments: [image001.png](#)
[HTC Agreement - Apple Proposed Redactions.pdf](#)

Rob,

As I indicated in my prior e-mail, Apple interprets Judge Koh's order of Monday as allowing sealing of the following:

- Paragraph 1.21
- Paragraph 6.2(a)
- Paragraphs 8.5(b) & 8.5(b)(i)
- The phrase beginning with, "not . . ." and ending with ". . . unit" in the second row and rightmost column of Exhibit D.

As requested, I am attaching a version of the agreement that redacts these portions. As to the other portions identified by HTC, Apple defers to HTC.

We join HTC's request for a draft of your submission, so that we can confirm that it does not misrepresent Apple's position.

Rich

Richard S.J. Hung
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(415) 268-7602

From: Robert Becher [<mailto:robertbecher@quinnemanuel.com>]
Sent: Wednesday, December 05, 2012 12:24 PM
To: 'Masurovsky, Laura'; Hung, Richard S. J.
Cc: 'Alison, John'; 'Daryl Crone'; AvSSNDCPostTrial; 'WHAppleSamsungNDCalService@wilmerhale.com'; Samsung v. Apple; Jacobs, Michael A.; 'McCauley, Robert'; 'Mosko, Scott'
Subject: RE: HTC-Apple redacted agreement

Laura—Please provide a version with the bates as produced in this case and all the attachments that were provided to us. This is shorter than what was produced and filed.

Regards, Rob

From: Masurovsky, Laura [<mailto:laura.masurovsky@finnegan.com>]
Sent: Wednesday, December 05, 2012 12:06 PM
To: Robert Becher; 'Hung, Richard S. J.'
Cc: Alison, John; 'Daryl Crone'; 'AvSSNDCPostTrial'; 'WHAppleSamsungNDCalService@wilmerhale.com'; Samsung v. Apple; EXT-mjacobs@mofo.com; McCauley, Robert; Mosko, Scott
Subject: RE: HTC-Apple redacted agreement

Robert and Richard: Here is the redacted version we discussed for filing. Please let us know if you have questions.

Regards,
Laura

Laura Masurovsky
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From: Robert Becher [<mailto:robertbecher@quinnemanuel.com>]
Sent: Wednesday, December 05, 2012 1:01 PM
To: Masurovsky, Laura; 'Hung, Richard S. J.'

Cc: Alison, John; 'Daryl Crone'; 'AvSSNDCPostTrial'; 'WHAppleSamsungNDCalService@wilmerhale.com'; Samsung v. Apple; EXT-mjacobs@mofo.com; McCauley, Robert; Mosko, Scott
Subject: RE: HTC-Apple redacted agreement

Laura—

We intend to file the redacted agreement with a statement that HTC and/or Apple will be separately filing papers regarding the sealing. We hope to file by 2 p.m. once we obtain the redacted agreement. We believe that HTC's papers should be filed separately.

Thanks, Rob

From: Masurovsky, Laura [<mailto:laura.masurovsky@finnegan.com>]
Sent: Wednesday, December 05, 2012 9:47 AM
To: Robert Becher; 'Hung, Richard S. J.'
Cc: Alison, John; 'Daryl Crone'; 'AvSSNDCPostTrial'; 'WHAppleSamsungNDCalService@wilmerhale.com'; Samsung v. Apple; EXT-mjacobs@mofo.com; McCauley, Robert; Mosko, Scott
Subject: HTC-Apple redacted agreement
Importance: High

Dear Robert and Richard: As noted, HTC is preparing an in-house declaration and short brief in support of the redactions. We propose that these be filed together with Samsung's filing of the redacted agreement. We feel strongly that we would like the opportunity to defend this in person. Accordingly, I am flying out today on a Virgin 5 pm (Eastern) flight and will be in San Jose later tonight. We ask that you file the proposed redacted agreement and also file, or we can at the same time separately file, HTC's justifications for the redactions at the end of the day, so that we can appear tomorrow if necessary to address any concerns the court may have. Thank you again for your consideration..

Best,
Laura

Laura Masurovsky
Attorney at Law

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From: Masurovsky, Laura
Sent: Wednesday, December 05, 2012 10:49 AM
To: 'Robert Becher'; 'Hung, Richard S. J.'
Cc: Alison, John; 'Daryl Crone'; 'AvSSNDCPostTrial'; 'WHAppleSamsungNDCalService@wilmerhale.com'; Samsung v. Apple; EXT-mjacobs@mofo.com; McCauley, Robert
Subject: RE: Order

Thank you all for your consideration in this matter. We will separately send you a "clean" redacted version for filing.

We are also drafting a short declaration and explanation of the justification for the redactions. Please contact me if you have any questions.

Regards,
Laura

Laura Masurovsky
Attorney at Law

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From: Robert Becher [<mailto:robertbecher@quinnemanuel.com>]
Sent: Wednesday, December 05, 2012 1:09 AM

To: 'Hung, Richard S. J.'
Cc: Alison, John; 'Daryl Crone'; 'AvSSNDCPostTrial'; 'WHAppleSamsungNDCalService@wilmerhale.com'; Samsung v. Apple; EXT- mjacobs@mofo.com; Masurovsky, Laura; McCauley, Robert
Subject: RE: Order

Rich—

Thanks. We ask that Apple and HTC send us one redacted version of the Agreement containing all of their proposed redactions by noon tomorrow and we will submit it to the Court with an explanation that it reflects how HTC and Apple construed the Court's recent Order on the sealing of the Agreement.

Thanks, Rob

From: Hung, Richard S. J. [<mailto:RHung@mofo.com>]
Sent: Tuesday, December 04, 2012 7:54 PM
To: Robert Becher
Cc: 'Alison, John'; 'Daryl Crone'; AvSSNDCPostTrial; 'WHAppleSamsungNDCalService@wilmerhale.com'; Samsung v. Apple; Jacobs, Michael A.; 'laura.masurovsky@finnegan.com'; 'Robert.McCauley@finnegan.com'
Subject: RE: Order

Hi Rob,

I understand that HTC has passed on its proposed redactions to the agreement, and that HTC and Samsung are discussing HTC's proposal. Please keep us in the loop re: those discussions.

On its part, Apple believes that the following portions should be sealed per Judge Koh's order,:

- Paragraph 1.21
- Paragraph 6.2(a)
- Paragraphs 8.5(b) & 8.5(b)(i)
- The phrase beginning with, "not . . ." and ending with ". . . unit" in the second row and rightmost column of Exhibit D.

As to other areas identified by HTC, Apple defers to HTC.

Rich

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From: Hung, Richard S. J.
Sent: Tuesday, December 04, 2012 12:02 PM
To: Robert Becher
Cc: 'Alison, John'; 'Daryl Crone'; AvSSNDCPostTrial; 'WHAppleSamsungNDCalService@wilmerhale.com'; Samsung v. Apple; Jacobs, Michael A.; laura.masurovsky@finnegan.com; Robert.McCauley@finnegan.com
Subject: RE: Order

Rob,

Sorry for the delayed response – I was out of the office this morning.

We are working on identifying the redactions right now. We expect to have the redactions identified by the end of the day. Because we are coordinating this effort with HTC's attorneys (cc:ed) and need to discuss with our client, the 2PM time that you identify is unreasonable.

Particularly in light of our cooperation with you on sealing issues (including, e.g., your latest renewed sealing motion) recently and in the past, we appreciate your allowing us the additional time.

Please give me a call if you would like to discuss.

Rich

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From: Robert Becher [<mailto:robertbecher@quinnemanuel.com>]
Sent: Monday, December 03, 2012 9:20 PM
To: Hung, Richard S. J.
Cc: 'Alison, John'; 'Daryl Crone'; AvSSNDCPostTrial; 'WHAppleSamsungNDCalService@wilmerhale.com'; Samsung v. Apple; Jacobs, Michael A.
Subject: Order

Rich,

In light of the Court Order today, we intend to re-file Samsung's Administrative Request for Leave to File Declaration of Robert J. Becher with redactions and the Declaration of Robert J. Becher containing the Agreement between Apple and HTC with redactions by the end of the day tomorrow. We ask that you provide us with any redactions that you believe are necessary to comply with the Court's Order by two p.m. tomorrow afternoon.

Regards,

Rob

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