

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 Kevin P.B. Johnson (Bar No. 177129)

kevinjohnson@quinnemanuel.com

6 Victoria F. Maroulis (Bar No. 202603)

victoriamaroulis@quinnemanuel.com

7 555 Twin Dolphin Drive, 5<sup>th</sup> Floor

Redwood Shores, California 94065-2139

8 Telephone: (650) 801-5000

Facsimile: (650) 801-5100

9 Michael T. Zeller (Bar No. 196417)

michaelzeller@quinnemanuel.com

10 865 S. Figueroa St., 10th Floor

11 Los Angeles, California 90017

Telephone: (213) 443-3000

12 Facsimile: (213) 443-3100

13 Attorneys for SAMSUNG ELECTRONICS CO.,  
14 LTD., SAMSUNG ELECTRONICS AMERICA,  
15 INC. and SAMSUNG  
TELECOMMUNICATIONS AMERICA, LLC

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,

19 Plaintiff,

20 vs.

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

24 Defendant.

CASE NO. 11-cv-01846-LHK

**DECLARATION OF JOBY MARTIN IN  
SUPPORT OF SAMSUNG'S MOTION TO  
STRIKE APPLE INC'S RESPONSE TO  
DECLARATION OF JOHN B. QUINN**

1 I, Joby Martin, declare as follows:

2 1. I am an associate in 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 submit this declaration in  
5 support of Samsung's Motion to Strike Apple Inc.'s Response to Declaration of John B. Quinn  
6 and Purported Recommendation Regarding Sanction. Except where expressly noted, I have  
7 personal knowledge of the facts set forth in this declaration and, if called upon as a witness, I  
8 could and would testify to such facts under oath.

9 2. Attached hereto as Exhibit 1 is a true and correct copy of the proposed trial  
10 demonstrative exhibits that Samsung distributed to a select number of reporters in response in  
11 inquiries from members of the media.

12 3. Samsung has experienced extensive negative publicity throughout the duration of  
13 this case. In just the first two days of trial, at least 528 news articles reported on Apple's  
14 accusations of copying. Attached hereto as Exhibit 2 is a list of such articles, which was prepared  
15 at my direction and under my supervision.<sup>1</sup>

16 4. From the time that Samsung publicly filed its trial brief on July 25, 2012 until the  
17 start of jury selection, at least 294 news articles reported on Sony's influence on the design  
18 process leading to the original iPhone. Attached hereto as Exhibit 3 is a list of such articles,  
19 prepared by a team of Samsung public relations specialists working at my direction and under my  
20 supervision.

21 5. From the time that Samsung publicly filed its trial brief on July 23, 2012 until the  
22 start of jury selection, at least 11 news articles reported on the Samsung F700 and other excluded  
23 evidence of independent creation. Attached hereto as Exhibit 4 is a list of such articles, which was  
24 prepared at my direction and under my supervision.

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27 <sup>1</sup> The numbers cited in paragraphs 3 – 7 include wire stories that appeared in more than one  
28 publication.

1 6. Apple has made numerous prejudicial statements about Samsung to the media,  
2 which have been widely reported. In the time since Apple filed its complaint, at least 96 news  
3 articles have cited Apple spokeswoman Kristin Huguet’s statements alleging copying by  
4 Samsung. Attached hereto as Exhibit 5 is a list of such articles, which was prepared at my  
5 direction and under my supervision.

6 7. Apple has made numerous statements to the press regarding evidence which the  
7 Court has ruled inadmissible. At least 79 news articles have reported on Apple spokeswoman  
8 Kirstin Huguet’s comments regarding the June 26, 2012 preliminary injunction order. Attached  
9 hereto as Exhibit 6 is a list of such articles.

10  
11 I declare under penalty of perjury under the laws of the United States that the foregoing is  
12 true and correct. Executed on the 2<sup>nd</sup> day of August, 2012, in San Jose, California.

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15 /s/ *Joby Martin*  
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**General Order 45 Attestation**

I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to file this Declaration. In compliance with General Order 45(X)(B), I hereby attest that Joby Martin has concurred in this filing.

/s/ Victoria Maroulis