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14 Attorneys for SAMSUNG ELECTRONICS CO.,
LTD., SAMSUNG ELECTRONICS AMERICA,
15 INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC
16

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

19
20 APPLE INC., a California corporation,

21 Plaintiff,

22 vs.

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

26 Defendant.
27

CASE NO. 11-cv-01846-LHK

**DECLARATION OF THOMAS R.
WATSON IN SUPPORT OF SAMSUNG'S
RESPONSE TO APPLE'S STATEMENT
REGARDING JURY INSTRUCTIONS**

1 I, Thomas R. Watson, declare as follows:

2 1. I am a member of the bar of the State of California and an associate at Quinn
3 Emanuel Urquhart & Sullivan LLP, attorneys for Samsung Electronics Co., Ltd., Samsung
4 Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively,
5 “Samsung”). I make this declaration of personal knowledge and could testify competently to the
6 facts stated herein.

7 2. Over the past week, Victoria Maroulis and I have been diligently working with
8 Apple in an attempt to resolve differences on jury instructions and reduce the number of disputes
9 for the Court to resolve. In particular, Samsung has agreed to more than twenty revised
10 instructions proposed by Apple and is continuing to review Apple’s remaining disputed
11 instructions for any common ground. By contrast, Apple has agreed to only two instructions
12 offered solely by Samsung, and one of them was based on Model Instruction No. 1.5.

13 3. Marc Pernick told me the he experienced technical difficulties today with the
14 preparation of the document containing the parties’ disputed jury instructions. Samsung still has
15 not received from Apple the native version of the joint set of disputed instructions that Apple
16 undertook to prepare as part of the submission. Without a native version, Samsung is unable to
17 make edits and changes to the disputed jury instructions.

18 4. I only received a PDF version of the joint set of disputed instructions at 9:40 p.m.
19 this evening. Because Apple had not provided a joint draft of the jury instructions by the time I
20 spoke with Mr. Pernick after court concluded for the day, I proposed to have an interim meeting
21 late tonight and to have the final lead counsel meeting over the weekend to submit the joint set
22 shortly thereafter.

23 I declare under penalty of perjury under the laws of the State of California that the
24 foregoing is true and correct.

25 Executed August 10, 2012, at San Jose, California.

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/s/ Thomas R. Watson
Thomas R. Watson

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GENERAL ORDER ATTESTATION

I, Victoria Maroulis, am the ECF user whose ID and password are being used to file the foregoing document. I hereby attest pursuant to General Order 45.X.B. that concurrence in the electronic filing of this document has been obtained from Thomas R. Watson.

/s/ Victoria Maroulis _____