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Counterclaim-Defendant Apple Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

APPLE INC., a California corporation,
Plaintiff,

vs.

SAMSUNG ELECTRONICS CO., LTD., a
Korean business entity, SAMSUNG
ELECTRONICS AMERICA, INC., a New
York corporation, and SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,
Defendants.

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

Counterclaim-Plaintiffs,

v.

APPLE INC., a California corporation,
Counterclaim-Defendant.

Civil Action No. 11-CV-01846-LHK

**DECLARATION OF PETER J.
KOLOVOS IN SUPPORT OF APPLE'S
RESPONSE TO DECLARATION OF
JOHN B. QUINN AND
RECOMMENDATION REGARDING
APPROPRIATE SANCTION**

1 I, Peter J. Kolovos, declare as follows:

2 1. I am a partner at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP,
3 counsel for Apple Inc. ("Apple") in the above-referenced litigation. I am licensed to practice law
4 in the Commonwealth of Massachusetts, and have been admitted *pro hac vice* in this action. I
5 am familiar with the facts set forth herein, and, if called as a witness, I could and would testify
6 competently to those facts.

7 2. Attached as **Exhibit A** is a true and correct copy of a screenshot of an article
8 entitled, "Samsung, After 'Begging' to Get Sony Into Apple Patent Trial, Flouts Judge And
9 Releases 'Excluded Evidence' Anyway" available at:

10 [www.forbes.com/sites/connieguglielmo/2012/07/31/samsung-after-begging-to-get-sony-](http://www.forbes.com/sites/connieguglielmo/2012/07/31/samsung-after-begging-to-get-sony-into-apple-patent-trial-flouts-judge-and-releases-excluded-evidence-anyway/)
11 [into-apple-patent-trial-flouts-judge-and-releases-excluded-evidence-anyway/](http://www.forbes.com/sites/connieguglielmo/2012/07/31/samsung-after-begging-to-get-sony-into-apple-patent-trial-flouts-judge-and-releases-excluded-evidence-anyway/)
12 (last visited August 1, 2012).

13 3. Attached as **Exhibit B** is a true and correct copy of a screenshot of an article
14 entitled, "In Apple-Samsung trial, it's John Quinn v. Judge Koh" available at:

15 [http://newsandinsight.thomsonreuters.com/Legal/News/2012/08_-_August/In_Apple-](http://newsandinsight.thomsonreuters.com/Legal/News/2012/08_-_August/In_Apple-Samsung_trial,_it_s_John_Quinn_v__Judge_Koh/)
16 [Samsung_trial,_it_s_John_Quinn_v__Judge_Koh/](http://newsandinsight.thomsonreuters.com/Legal/News/2012/08_-_August/In_Apple-Samsung_trial,_it_s_John_Quinn_v__Judge_Koh/)
17 (last visited August 1, 2012).

18 4. Attached as **Exhibit C** is a true and correct copy of a screenshot of an excerpt of
19 an article entitled, "Samsung Goes Public With Excluded Evidence to Undercut Apple's Design
20 Claims" available at:

21 [www.allthingsd.com/20120731/samsung-goes-public-with-excluded-evidence-to-](http://www.allthingsd.com/20120731/samsung-goes-public-with-excluded-evidence-to-undercut-apples-design-claims/)
22 [undercut-apples-design-claims/](http://www.allthingsd.com/20120731/samsung-goes-public-with-excluded-evidence-to-undercut-apples-design-claims/)
23 (last visited August 1, 2012). The excerpted portion does not include the slides that were
24 released with Samsung's press statement.

25
26 Dated: August 1, 2012

/s/ Peter J. Kolovos

Peter J. Kolovos

GENERAL ORDER 45 ATTESTATION

I, Mark D. Selwyn, 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 Peter J. Kolovos has concurred in this filing.

/s/ Mark D. Selwyn

Mark D. Selwyn

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on August 1, 2012 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civil Local Rule 5.4.

/s/ Mark D. Selwyn

Mark D. Selwyn