

[COUNSEL LISTED ON SIGNATURE PAGES]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California corporation,
Plaintiff,

v.

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

CASE NO. 5:12-cv-00630-LHK

**JOINT SUBMISSION REGARDING
THE SAMSUNG GALAXY S III**

SAMSUNG ELECTRONICS CO., LTD., a
Korean corporation; 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.

**STIPULATION AND [PROPOSED] ORDER REGARDING PROCEDURE COVERING
THE SAMSUNG GALAXY S III**

Pursuant to this Court’s instructions during the June 7, 2012 hearing regarding Apple Inc.’s Motion for Preliminary Injunction, Plaintiff and Counterclaim-Defendant Apple Inc. (“Apple”) and Defendants and Counterclaim-Plaintiffs Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively, “Samsung”) have met and conferred regarding a procedure covering the Samsung Galaxy S III. The parties accordingly submit the following proposal.

IT IS HEREBY STIPULATED AND AGREED by the parties that:

A. By Tuesday, June 12, 2012, Samsung shall identify whether it contends that the accused features (Android Browser and Quick Search Box) of the Galaxy S III are more than colorably different from the comparable features of the Galaxy Nexus. If Samsung does contend that there are such differences, Samsung will identify the relevant differences between the respective features, as well as any additional non-infringement arguments related to such differences that Samsung contends exist. Such differences shall be described specifically and with sufficient explanation to provide the Court and Apple adequate basis to evaluate the alleged differences. If Samsung does contend that there are such differences, Samsung also agrees to produce the source code implemented on the Samsung Galaxy S III relating to the accused features as soon as possible, and to make its best efforts, which efforts shall start immediately, to produce such source code by no later than Thursday, June 14, 2012.

B. Within 3 days of Samsung’s statement described in paragraph (A), the parties shall meet and confer to determine what additional discovery and briefing regarding the Samsung Galaxy S III may be required, if any, and the amount, timing, and exact nature of any such discovery and briefing.

1 Dated: June 8, 2012

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26 Attorney for Plaintiff APPLE INC.
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By: /s/ Patrick M. Shields (with permission)

Patrick M. Shields
Attorney for Defendants
SAMSUNG ELECTRONICS CO., LTD., SAMSUNG
ELECTRONICS AMERICA, INC., AND SAMSUNG
TELECOMMUNICATIONSAMERICA, LLC

ATTESTATION OF E-FILED SIGNATURES

I, H. Mark Lyon, am the ECF user whose ID and password are being used to file this Joint Case Management Conference Statement. In compliance with General Order 45.X.B, I hereby attest that Patrick M. Shields has concurred in this filing.

Dated: June 8, 2012

By: /s/ H. Mark Lyon

H. Mark Lyon

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Civil Local Rule 5.4, and will be served upon all counsel of record for the parties who have consented to electronic service in accordance with Civil Local Rule 5.4 via the Court's ECF system.

Dated: June 8, 2012

By: /s/ H. Mark Lyon

H. Mark Lyon

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California corporation,

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

Defendants.

CASE NO. 5:12-cv-00630-LHK

**[PROPOSED] ORDER SETTING
PROCEDURE REGARDING
SAMSUNG GALAXY S III**

SAMSUNG ELECTRONICS CO., LTD., a
Korean corporation; 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.

1 Pursuant to the Court's instructions during the hearing on June 7, 2012, for Apple Inc.'s
2 Motion for Preliminary Injunction, Plaintiff and Counterclaim-Defendant Apple Inc. ("Apple") and
3 Defendants and Counterclaim-Plaintiffs Samsung Electronics Co., Ltd., Samsung Electronics
4 America, Inc., and Samsung Telecommunications America, LLC (collectively, "Samsung") have met
5 and conferred regarding a procedure covering the Samsung Galaxy S III. The parties submitted a
6 proposal for such procedure accordingly.

7 Having considered the parties' stipulated and agreed proposal for a procedure covering the
8 Samsung Galaxy S III, motion and declaration cited therein, IT IS HEREBY ORDERED that:

9 A. By Tuesday, June 12, 2012, Samsung shall identify whether it contends that the
10 features of the Galaxy S III comparable to the accused features of the Galaxy Nexus are more than
11 colorably different from those Galaxy Nexus accused features. If Samsung does contend that there
12 are such differences, Samsung will identify the relevant differences between the respective features,
13 as well as any additional non-infringement arguments related to such differences that Samsung
14 contends exist. If Samsung does contend that there are such differences, Samsung also agrees to
15 make its best efforts to produce the source code implemented on the Samsung Galaxy S III relating to
16 the accused features by no later than Thursday, June 14, 2012.

17 B. Within 3 days of Samsung's statement described in paragraph (A), the parties shall
18 meet and confer to determine what additional discovery and briefing regarding the Samsung Galaxy
19 S III may be required, if any, and the amount, timing, and exact nature of any such discovery and
20 briefing.

21 **IT IS SO ORDERED.**

22
23 Dated: _____, 2012

24 By: _____
25 HONORABLE LUCY H. KOH
26 UNITED STATES DISTRICT JUDGE
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