

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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. 11-cv-01846-LHK  
  
**[PROPOSED] ORDER GRANTING  
APPLE’S CONDITIONAL MOTION  
FOR RECONSIDERATION OF  
ORDER GRANTING NEW  
DAMAGES TRIAL ON GALAXY S II  
AT&T AND INFUSE 4G**

1 Apple filed a conditional motion for reconsideration of the March 1 Order granting a new  
2 trial on damages, asking the Court to reconsider-in-part the Order only if the Court granted  
3 Samsung’s request for entry of judgment pursuant to Rule 54(b). (Dkt. 2271.) Having granted  
4 Samsung’s request via separate order, the Court hereby GRANTS Apple’s conditional motion for  
5 reconsideration.

6 The March 1 Order granting a new trial on damages is hereby partially vacated, insofar as  
7 it extended to the Infuse 4G and Galaxy S II AT&T. The Court modifies its March 1 Order as  
8 follows:

9 1. The Court orders a new trial on damages for the following products: Galaxy  
10 Prevail, Gem, Indulge, Captivate, Continuum, Droid Charge, Epic 4G, Exhibit 4G, Galaxy Tab,  
11 Nexus S 4G, Replenish, and Transform. This amounts to \$365,227,320 being stricken from the  
12 jury’s award.

13 2. The jury’s award stands for the Galaxy Ace, Galaxy S (i9000), Galaxy S II i9100,  
14 Galaxy Tab 10.1 WiFi, Galaxy Tab 10.1 4G LTE, Intercept, Fascinate, Galaxy S 4G, Galaxy S II  
15 Showcase, Mesmerize, Vibrant, Galaxy S II Skyrocket, Galaxy S II Epic 4G Touch, Galaxy S II  
16 T-Mobile, Galaxy S II AT&T, and Infuse 4G. The total award for these 16 products is  
17 \$684,196,222.

18

19 **IT IS SO ORDERED.**

20

21 Dated: \_\_\_\_\_

\_\_\_\_\_

22

Hon. Lucy H. Koh  
United States District Judge

23

24

25

26

27

28