

HAROLD J. MCELHINNY (CA SBN 66781)  
hmcclhinny@mofo.com  
MICHAEL A. JACOBS (CA SBN 111664)  
mjacobs@mofo.com  
RACHEL KREVANS (CA SBN 116421)  
rkrevans@mofo.com  
ERIK J. OLSON (CA SBN 175815)  
ejolson@mofo.com  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, California 94105-2482  
Telephone: (415) 268-7000  
Facsimile: (415) 268-7522

Attorneys for Plaintiff and  
Counterclaim-Defendant APPLE INC.

WILLIAM F. LEE  
william.lee@wilmerhale.com  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
Telephone: (617) 526-6000  
Facsimile: (617) 526-5000

MARK D. SELWYN (SBN 244180)  
mark.selwyn@wilmerhale.com  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
950 Page Mill Road  
Palo Alto, California 94304  
Telephone: (650) 858-6000  
Facsimile: (650) 858-6100

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

APPLE INC.,

Plaintiff,

v.

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

Defendants.

Case No. 11-cv-01846-LHK (PSG)

**DECLARATION OF  
NATHAN SABRI IN SUPPORT OF  
APPLE'S MOTION FOR LEAVE  
TO FILE A SURREPLY TO  
SAMSUNG'S MOTION FOR NEW  
TRIAL REGARDING '381  
PATENT PURSUANT TO RULE 59  
BASED ON "NEWLY  
DISCOVERED EVIDENCE" OR,  
ALTERNATIVELY, FOR ENTRY  
OF JUDGMENT ON LIABILITY**

1 I, NATHAN SABRI, declare as follows:

2 1. I am an attorney with the law firm of Morrison & Foerster LLP, counsel for Apple  
3 Inc. ("Apple"). I am licensed to practice law in the State of California. I have personal  
4 knowledge of the matters stated herein or understand them to be true. I submit this declaration in  
5 support of Apple's Motion for Leave to File a Surreply to Samsung's Motion for New Trial  
6 Regarding '381 Patent Pursuant to Rule 59 Based on "Newly Discovered Evidence" Or,  
7 Alternatively, For Entry of Judgment on Liability, filed herewith.

8 2. I contacted counsel for Samsung on August 7. I indicated that Apple intended to  
9 file a motion for leave to file a surreply and asked whether Samsung would stipulate to the  
10 requested relief. After Samsung's counsel requested more information, I sent Samsung's counsel  
11 a draft of Apple's motion for leave. Samsung's counsel confirmed that Samsung would not  
12 stipulate to Apple's requested relief and would oppose.

13 I declare under penalty of perjury that the foregoing is true and correct. Executed this 8th  
14 day of August, 2013 at San Francisco, California.

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16 /s/ Nathan Sabri  
17 NATHAN SABRI  
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**ATTESTATION OF E-FILED SIGNATURE**

I, Harold J. McElhinny, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Local Rule 5-1(i)(3), I hereby attest that Nathan Sabri has concurred in this filing.

Dated: August 8, 2013

/s/ Harold J. McElhinny  
HAROLD J. MCELHINNY