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15	Facsimile: (213) 443-3100		
16 17	UNITED STATES DISTRICT COURT		
18	NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION APPLE INC., a California corporation, CASE NO. 12-CV-00630-LHK (PSG)		
19	Plaintiff,	DECLARATION OF RYAN S.	
20	VS.	GOLDSTEIN IN SUPPORT OF SAMSUNG'S UNOPPOSED MOTION	
21	SAMSUNG ELECTRONICS CO., LTD., a Korean business entity; SAMSUNG	FOR ISSUANCE OF COMMISSION TO CONSULAR OFFICER TO TAKE	
22	ELECTRONICS AMERICA, INC., a New York corporation; SAMSUNG	DEPOSITION IN JAPAN PURSUANT TO ARTICLE 17 OF THE UNITED STATES –	
23	TELECOMMUNICATIONS AMERICA, LLC, a Delaware limited liability company,	JAPAN CONSULAR CONVENTION	
24	Defendants.		
25 26			
27			
28			
	Case No. 12-CV-00630-LHK (PS DECLARATION OF RYAN S. GOLDSTEIN IN SUPPORT OF SAMSUNG'S MOTION		
	FOR ISSUANCE OF COMMISSION TO CONSULAR OFFICER		

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I, Ryan S. Goldstein, declare as follows:

I am a partner in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,
 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung
 Telecommunications America, LLC (collectively, "Samsung"). I submit this declaration in
 support of Samsung's Motion For Issuance of Commission to Consular Officers to Take
 Deposition In Japan Pursuant to Article 17 of the United States – Japan Consular Convention. I
 have personal knowledge of the facts set forth in this declaration and, if called upon as a witness, I
 could and would testify to such facts under oath.

9 2. I first spoke with Professor Masui on or about February 5, 2013. I explained that
10 we were interested in Professor Masui's work on the POBox software, which is relevant prior art
11 in this litigation. On or about the morning of February 6, my colleague John McKee and I spoke
12 to Professor Masui about POBox. During this call, Professor Masui expressed willingness to
13 gather and provide information about POBox. Several days later, on or about February 12, 2013,
14 Professor Masui verbally confirmed to me that he would be willing to sit for a deposition in this
15 matter.

3. Over the last few months, I have spoken with Professor Masui several additional
times. Professor Masui has declined to travel to the United States for a deposition, but has stated
that he would be willing to appear for a deposition in Tokyo, Japan. On or about March 20,
Professor Masui confirmed to me that he was available June 11 in Tokyo, and would be willing to
sit for a deposition on that date. Samsung thereafter reserved space at the U.S. Embassy in Tokyo.

20 sit for a deposition on that date. Samsung thereafter reserved space at the U.S. Embassy in Tokyo
21 for Professor Masui's deposition.

4. Attached hereto as Exhibit 1 is a true and correct copy of The United States – Japan
Consular Convention.

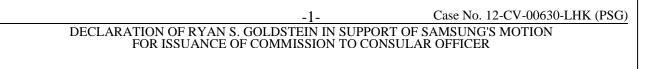
24 5. Attached hereto as Exhibit 2 is a true and correct copy of the State Department's
25 guidelines for conducting depositions in Japan, taken from

26 <u>http://travel.state.gov/law/judicial/judicial_678.html</u> on March 25, 2013.

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1	I declare under penalty of perjury that the foregoing is true and correct. Executed on this		
2	3rd day of April, 2013, in Tokyo, Japan.		
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5	Dated: April 3, 2013 Ryan S. Goldstein		
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28	-2- Case No. 12-CV-00630-LHK (PSC		
	DECLARATION OF RYAN S. GOLDSTEIN IN SUPPORT OF SAMSUNG'S MOTION FOR ISSUANCE OF COMMISSION TO CONSULAR OFFICER		