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16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,

19 Plaintiff,

20 vs.

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

24 Defendants.
25

CASE NO. 12-CV-00630-LHK (PSG)

**DECLARATION OF RYAN S.
GOLDSTEIN IN SUPPORT OF
SAMSUNG'S UNOPPOSED MOTION
FOR ISSUANCE OF COMMISSION TO
CONSULAR OFFICER TO TAKE
DEPOSITION IN JAPAN PURSUANT TO
ARTICLE 17 OF THE UNITED STATES –
JAPAN CONSULAR CONVENTION**

1 I, Ryan S. Goldstein, declare as follows:

2 1. I am a partner in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,
3 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung
4 Telecommunications America, LLC (collectively, "Samsung"). I submit this declaration in
5 support of Samsung's Motion For Issuance of Commission to Consular Officers to Take
6 Deposition In Japan Pursuant to Article 17 of the United States – Japan Consular Convention. I
7 have personal knowledge of the facts set forth in this declaration and, if called upon as a witness, I
8 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.

16 3. Over the last few months, I have spoken with Professor Masui several additional
17 times. Professor Masui has declined to travel to the United States for a deposition, but has stated
18 that he would be willing to appear for a deposition in Tokyo, Japan. On or about March 20,
19 Professor Masui confirmed to me that he was available June 11 in Tokyo, and would be willing to
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.

22 4. Attached hereto as Exhibit 1 is a true and correct copy of The United States – Japan
23 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 http://travel.state.gov/law/judicial/judicial_678.html 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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Dated: April 3, 2013



Ryan S. Goldstein