

RUSS, AUGUST & KABAT  
 Marc A. Fenster (CA SBN 181067)  
 Email: mfenster@raklaw.com  
 Benjamin T. Wang (CA SBN 228712)  
 Email: bwang@raklaw.com  
 Reza Mirzaie (CA SBN 246953)  
 Email: rmirzaie@raklaw.com  
 Brian D. Ledahl (CA SBN 186579)  
 Email: bledahl@raklaw.com  
 C. Jay Chung (CA SBN 252794)  
 Email: jchung@raklaw.com  
 Adam S. Hoffman (CA SBN 218740)  
 Email: ahoffman@raklaw.com  
 Neil A. Rubin (CA SBN 250761)  
 Email: nrubin@raklaw.com  
 RUSS, AUGUST & KABAT  
 12424 Wilshire Boulevard, 12th Floor  
 Los Angeles, California 90025  
 Telephone: (310) 826-7474  
 Facsimile: (310) 826-6991

Kayvan B. Noroozi (CA SBN 271167)  
 Email: kayvan@noroozi.la  
 NOROOZI PC  
 1299 Ocean Ave., Suite 450  
 Santa Monica, CA 90401  
 Telephone: (310) 975-7074

Attorneys for Plaintiff  
 CORE WIRELESS S.A.R.L.

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION**

CORE WIRELESS S.A.R.L.,  
 Plaintiff,

vs.

APPLE INC.,  
 Defendant.

**Case No. 5:15-cv-05008-NC**

**PLAINTIFF'S NOTICE REGARDING  
 TRIAL OBJECTIONS**

Pursuant to Court's Order at Dkt 368, the pretrial conference, and the Court's December 5 directive regarding notifying the Court of upcoming objections, Core Wireless Licensing S.a.r.l. ("Core Wireless") identifies the following disputed objections to Apple's Inc.'s deposition designations, exhibits and demonstratives. The parties have met and conferred and are unable to resolve the disputes.

Demonstratives of Paul Meyer:

Slide 4: Relevance, Unfair prejudice, Foundation, because the Court's Order on CW's 4<sup>th</sup> *Daubert* motion regarding royalty stacking (Dkt 366), required "sufficient factual basis for [an] assertion that Apple would consider royalty stacking in its hypothetical negotiation." There has been no such basis laid in this case.

Slide 9: Hearsay

Slide 10: Rule 26- not disclosed in expert reports

Demonstratives of Michael Walker

Slide 3: Interrogatory Response never disclosed in pretrial disclosures

Apple's Deposition Designations

Transcript	Apple Designation	Objections
Christian Sturt	51:3-9	Not Timely-Disclosed
	51:12-13	Not Timely-Disclosed
	52:12-23	Not Timely-Disclosed

Response to Apple's Representations Regarding Penarczyk Counter-Designations:

The Court addressed Mr. Penarczyk's deposition designations today. Not pleased with the result, Apple is, without permission of the Court, moving to reargue its objections to Core Wireless's counter-designation of testimony. Apple's Notice filed today at Dkt 430 misleads the Court. The specific counter-designation at issue was timely disclosed to Apple during the pretrial process. (*See* Dkt 371 at 4). Indeed, Apple did not object to the specific counter designation it now objects to. Apple even agreed during meet and confer last night to allow the counter-designation, which Core Wireless moved from a designation dropped by Apple. Apple

reconsidered late last night, and now writes a second untimely improper brief to the Court asserting waived objections that were already overruled. The substance of Core Wireless's counter-designation is directly responsive to Apple's designation of lines 32:11-33:9 because both passages address Microsoft's assertions of the value of SEP patents. Core Wireless respectfully requests the Court stand on its order to play all deposition designations presented to the Court yesterday and addressed today in Court.

Respectfully submitted,

DATED: December 8, 2016

**RUSS, AUGUST & KABAT**

*/s/ Reza Mirzaie*

---

Marc A. Fenster (CA SBN 181067)  
Email: mfenster@raklaw.com  
Benjamin T. Wang (CA SBN 228712)  
Email: bwang@raklaw.com  
Reza Mirzaie (CA SBN 246953)  
Email: rmirzaie@raklaw.com  
Brian D. Ledahl (CA SBN 186579)  
Email: bledahl@raklaw.com  
C. Jay Chung (CA SBN 252794)  
Email: jchung@raklaw.com  
Adam S. Hoffman (CA SBN 218740)  
Email: ahoffman@raklaw.com  
Neil A. Rubin (CA SBN 250761)  
Email: nrubin@raklaw.com  
RUSS, AUGUST & KABAT  
12424 Wilshire Boulevard, 12th Floor  
Los Angeles, California 90025  
Telephone: (310) 826-7474  
Facsimile: (310) 826-6991

Kayvan B. Noroozi (CA SBN 271167)  
Email: kayvan@noroozi.la  
NOROOZI PC  
1299 Ocean Ave., Suite 450  
Santa Monica, CA 90401  
Telephone: (310) 975-7074

Attorneys for Plaintiffs  
CORE WIRELESS S.A.R.L.