

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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|--|---|----------------------------|
| APPLE, INC., a California corporation, |) | Case No.: 11-CV-01846-LHK |
| |) | |
| Plaintiff, |) | |
| v. |) | ORDER RE: MOTION TO COMPEL |
| |) | |
| SAMSUNG ELECTRONICS CO., LTD., A |) | |
| Korean corporation; SAMSUNG |) | |
| ELECTRONICS AMERICA, INC., a New York |) | |
| corporation; SAMSUNG |) | |
| TELECOMMUNICATIONS AMERICA, LLC, |) | |
| a Delaware limited liability company, |) | |
| |) | |
| Defendants. |) | |

On October 30, 2012, Samsung filed a motion to compel Apple to disclose the circumstances and timing of Apple’s discovery of certain information regarding the jury foreperson. ECF No. 2108. On November 2, 2012, Apple filed an opposition. ECF No. 2118. At the December 6, 2012 hearing, the Court will consider the questions of whether the jury foreperson concealed information during voir dire, whether any concealed information was material, and whether any concealment constituted misconduct. An assessment of such issues is intertwined with the question of whether and when Apple had a duty to disclose the circumstances and timing of its discovery of information about the foreperson. Accordingly, the Court will address Samsung’s motion to compel at the December 6, 2012 hearing. If the Court grants Samsung’s motion to compel, the Court will likely order supplemental briefing before ruling on Samsung’s motion for judgment as a matter of law.

IT IS SO ORDERED.



LUCY H. KOH
United States District Judge

Dated: November 8, 2012

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