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16 UNITED STATES DISTRICT COURT
17 SOUTHERN DISTRICT OF CALIFORNIA

18 APPLE INC.,
19 Plaintiff,
20 v.
21 WI-LAN, INC.,
22 Defendant.
23
24
25 AND RELATED
26 COUNTERCLAIMS

CASE NO. 3:14-cv-02235-DMS-BLM
(lead case);
CASE NO. 3:14-cv-1507-DMS-BLM
(consolidated)

**APPLE INC.'S NOTICE OF MOTION
AND MOTION TO STRIKE WI-LAN'S
NEW INFRINGEMENT THEORIES**

Date: June 1, 2018
Time: 1:30 pm
Dept.: 13A
Judge: Hon. Dana M. Sabraw
Magistrate Judge: Hon. Barbara L. Major

1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD:
2 PLEASE TAKE NOTICE that on June 1, 2018 at 1:30 pm in the Courtroom
3 of the Honorable Dana M. Sabraw of the above-entitled court, located at 333 W.
4 Broadway, San Diego, California 92101, Plaintiff Apple Inc. (“Apple”) will and
5 hereby does move to strike portions of the expert reports of Dr. Vijay Madiseti and
6 the Source Code Expert Report of Trevor J. Smedley, PH.D that are based on new
7 infringement theories that Wi-LAN failed to disclose in its final infringement
8 contentions.

9 This Motion is made pursuant to Civil Local Rule 7.1, and is based on this
10 Notice of Motion and Motion, the accompanying Memorandum of Points and
11 Authorities, supporting declaration and exhibits, all of which are served and filed
12 herewith, the complete records and files of this action, and any argument or
13 additional evidence that is permitted by this Court.

14
15 Dated: April 20, 2018

DLA PIPER LLP (US)

17 By /s/ Sean C. Cunningham

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CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2018, I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the CM/ECF registrants.

/s/ Sean C. Cunningham
Sean C. Cunningham