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18 UNITED STATES DISTRICT COURT
19 SOUTHERN DISTRICT OF CALIFORNIA

20 QUALCOMM INCORPORATED,

21 Plaintiff,

22 v.

23 APPLE, INC.,

24 Defendant.
25

Case No. 3:17-CV-02403-CAB-MDD

**DEFENDANT APPLE INC.'S NOTICE
OF MOTION AND MOTION TO
STAY CASE PENDING INTER
PARTES REVIEW**

DATE: September 4, 2018
JUDGE: Hon. Cathy Ann Bencivengo
CTRM: 4C

**PER CHAMBER RULES, NO ORAL
ARGUMENT UNLESS SEPARATELY
ORDERED BY THE COURT**

27 AND RELATED COUNTER-CLAIMS.
28

NOTICE OF MOTION AND MOTION

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Please take notice that on September 4, 2018, or as soon as the matter may be heard, in Courtroom 4C of the Honorable Cathy Ann Bencivengo, Defendant Apple Inc. (“Apple”) will, and hereby does, respectfully move the Court to stay this case pending *inter partes* review (“IPR”) of the patents-in-suit, including at least staying the case pending the Patent Trial and Appeal Board’s decision regarding institution on Apple’s recently-filed IPR petitions.

This motion is supported by the accompanying Memorandum of Points and Authorities and such other written and oral argument and authorities that may be presented at or before the hearing of this motion.

Dated: July 31, 2018

Respectfully submitted,

By: /s/ Thad C. Kodish

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on July 31, 2018 to all counsel of record who are deemed to have consented to electronic service via the Court’s CM/ECF system per Civil Local Rule 5.4. Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery.

Executed on July 31, 2018 at Atlanta, Georgia.

/s/ Thad C. Kodish

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