

# EXHIBIT A



These responses are made solely for the purposes of Civil Action no. 2:17-cv-00517 captioned above (referred to herein as the “Action”)<sup>2</sup>. The following responses are based on ZTE’s present state of recollection, knowledge, and belief. The responses are at all time subject to additional or different information that discovery may disclose and, while based on the present state of recollection, are subject to such refreshing of recollection and such knowledge or facts as may result from further investigation by ZTE or its attorneys and/or further discovery from Plaintiff and/or third parties. ZTE reserves the right to supplement these responses.

ZTE’s objections and responses are made without in any way waiving or intending to waive, but to the contrary, are intended to preserve:

1. All questions as to the competency, relevancy, materiality, privilege, and admissibility as evidence for any purpose of the response or subject matter thereof, in this Action or any subsequent proceeding associated with this Action or any other matter;
2. The right to object on any ground to the use of said responses, or the subject matter thereof, in any subsequent proceeding with this Action or any other action; and
3. The right to object on any ground at any time to the other requests or other discovery procedures involving or relating to the subject matter of these interrogatories.

### **GENERAL OBJECTIONS**

The following general objections apply to each and every interrogatory contained in Plaintiff’s interrogatories, including its definitions and instructions, and each of the general objections is incorporated by reference into the specific objections to each interrogatory, regardless of whether the specific objections overlap or repeat the general objection.

1. ZTE objects to Plaintiff’s definitions and instructions to the extent they are unreasonably vague, overly broad, repetitious, unduly burdensome, or seek to impose any

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<sup>2</sup> Unless indicated otherwise, all docket citations will reference the ZTE case.

obligations beyond those imposed by the applicable rules and law, including the Federal Rules of Civil Procedure, the Local Rules of this Court, the Docket Control Order, and the Discovery Order.<sup>3</sup>

2. ZTE objects to the interrogatories to the extent that they seek documents and information subject to (a) attorney-client privilege, (b) work product immunity, (c) joint defense privilege, (d) common interest privilege, or (e) any other applicable privilege, immunity, or protection. ZTE does not intend to provide such information or produce such privileged or protected documents or things, and the inadvertent production of such is not to be deemed a waiver of any privilege. ZTE expressly reserves the right to object to the introduction at trial or any other use of such documents or things that may be inadvertently disclosed. An objection based on the attorney-client privilege and/or the work product doctrine shall not be construed as a representation that information called for in the interrogatory exists or existed. Such objections indicate only that the interrogatories are of such a scope as to embrace subject matter protected by the attorney-client privilege, the work product doctrine, or other protection or privilege.

3. ZTE objects to the interrogatories to the extent that they seek documents, information, and things (a) not relevant to the subject matter of this investigation, (b) not proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and whether the burden or expense of the proposed discovery outweighs its likely benefit, or (c) otherwise not within the scope of relevant discovery.

4. ZTE objects to the interrogatories to the extent that they seek to impose an

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<sup>3</sup> ZTE will follow the Docket Control Order and Discovery Orders entered in 2:17-cv-00514 (Dkt. Nos. 38 and 39) until new ones are entered in the lead case 2:17-cv-00513.

improper or undue burden on ZTE, or duties and responsibilities greater than those imposed by the Federal Rules of Civil Procedure, and the Local Rules. ZTE objects to the interrogatories to the extent they seek information or documents and things that do not exist or are beyond ZTE's possession, custody, or control. ZTE further objects to the interrogatories and to the definitions and instructions therein to the extent they seek documents, information, and things from corporate parents, subsidiaries, affiliates, divisions or joint ventures that are not within the possession, custody or control of ZTE.

5. ZTE objects to the interrogatories to the extent they seek information or documents and things that are subject to a claim of confidentiality from a third party.

6. ZTE's responses or failure to object to any of Plaintiff's Definitions or Instructions are not intended to be, and shall not be, construed as admissions as to the meaning of words or phrases at issue in the action, and shall have no binding effect on ZTE in this or in any other proceeding.

7. ZTE's responses and objections are for discovery purposes only, and are not to be construed as limiting or reflecting Plaintiff's positions in this case regarding claim construction.

8. ZTE's agreement to respond to these interrogatories shall not be deemed as an admission regarding the relevance of the interrogatory nor is it intended to waive any right to object the admissibility of such at trial.

9. ZTE have not yet completed their investigation, collection of information, discovery, and analysis relating to this action. The following responses are based on information known and available to ZTE at this time. Discovery in this litigation is ongoing.

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