

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

SAMSUNG ELECTRONICS CO., LTD.,

Plaintiffs,

-v.-

NVIDIA CORPORATION,

Defendants.

Civil Action No. 3:14-cv-757-REP

**MOTION TO STRIKE THE THIRD SUPPLEMENTAL EXPERT REPORT OF DR.
JEONGDONG CHOE AND PARAGRAPHS 10-13, 18-19, 23-24, 27, 30-31, 36, 42-43, AND
46 OF THE THIRD SUPPLEMENTAL EXPERT REPORT OF DR. RICHARD FAIR OR,
IN THE ALTERNATIVE, ITS MOTION FOR LEAVE TO SERVE A REBUTTAL
EXPERT REPORT IN RESPONSE**

Defendant NVIDIA Corporation (“NVIDIA”) respectfully moves pursuant to Federal Rule of Civil Procedure 16(f) and 37(c) to strike the Third Supplemental Expert Report of Dr. Jeongdong Choe and paragraphs 10-13, 18-19, 23-24, 27, 30-31, 36, 42-43, and 46 of the Third Supplemental Report of Dr. Richard Fair. In the alternative, NVIDIA respectfully moves for leave to serve a rebuttal report from its technical expert, Dr. Lee, to address the new opinions disclosed by Dr. Choe and Dr. Fair in their Third Supplemental Reports.

The grounds for this motion are set forth in NVIDIA’s Memorandum in Support of its Motion to Strike the Third Supplemental Expert Report of Dr. Jeongdong Choe and Paragraphs 10-13, 18-19, 23-24, 27, 30-31, 36, 42-43, and 46 of the Third Supplemental Expert Report of Dr. Richard Fair or, in the Alternative, its Motion for Leave to Serve a Rebuttal Expert Report in Response. NVIDIA respectfully requests that the Court grant this motion and enter an Order granting this motion.

Dated: April 13, 2016

Respectfully submitted,

By: /s/ Robert A. Angle
Robert A. Angle, VSB No. 37691
robert.angle@troutmansanders.com
TROUTMAN SANDERS LLP
1001 Haxall Point
Richmond, VA 23219
Tel: (804) 697-1200
Fax: (804) 697-1339

Maximilian A. Grant (admitted *pro hac vice*)
max.grant@lw.com
Gabriel K. Bell (admitted *pro hac vice*)
gabriel.bell@lw.com
LATHAM & WATKINS LLP
555 Eleventh Street, N.W., Ste. 1000
Washington, DC 20004
Tel: (202) 637-2200; Fax: (202) 637-2201

Clement J. Naples (admitted *pro hac vice*)
clement.naples@lw.com

LATHAM & WATKINS LLP
885 Third Avenue
New York, NY 10022-4834
Tel: (212) 906-1200; Fax: (212) 751-4864

Ron E. Shulman (admitted *pro hac vice*)
ron.shulman@lw.com
Richard G. Frenkel (admitted *pro hac vice*)
rick.frenkel@lw.com
Lisa K. Nguyen (admitted *pro hac vice*)
lisa.nguyen@lw.com

LATHAM & WATKINS LLP
140 Scott Drive
Menlo Park, CA 94025
Tel: (650) 328-4600; Fax: (650) 463-2600

Julie M. Holloway (admitted *pro hac vice*)
julie.holloway@lw.com
LATHAM & WATKINS LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111
Tel: (415) 391-0600; Fax: (415) 395-8095

Ann Marie T. Wahls (admitted *pro hac vice*)
annmarie.wahls@lw.com
LATHAM & WATKINS LLP
330 North Wabash Avenue, Suite 2800
Chicago, Illinois 60611
Tel: (312) 876-7700; Fax: (312) 993-9767

Counsel for NVIDIA Corp.

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of April, 2016, I will electronically file the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

Robert W. McFarland
rmcfarland@mcguirewoods.com
McGuire Woods LLP
101 W. Main Street, Suite 9000
Norfolk, VA 23510

Brian C. Riopelle
briopelle@mcguirewoods.com
McGuire Woods LLP
Gateway Plaza
800 East Canal Street
Richmond, VA 23219

Darin W. Snyder
dsnyder@omm.com
Alexander B. Parker
aparker@omm.com
Elysa Q. Wan
ewan@omm.com
O'Melveny & Myers LLP
Two Embarcadero Center, 28th Floor
San Francisco, CA 94111

Vision L. Winter
vwinter@omm.com
Ryan K. Yagura
ryagura@omm.com
Michael A. Koplow
O'Melveny & Myers LLP
400 South Hope Street, 18th Floor
Los Angeles, CA 90071

Mishima Alam
malam@omm.com
O'Melveny & Myers LLP
1625 Eye Street NW
Washington, DC 20006

Counsel for Samsung Electronics Co., Ltd.

/s/ Robert A. Angle
Robert A. Angle (VSB No. 37691)
robert.angle@troutmansanders.com
TROUTMAN SANDERS LLP
1001 Haxall Point
Richmond, VA 23219
T: (804) 697-1200
F: (804) 697-1339