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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

FEDERAL TRADE COMMISSION Plaintiff, v. QUALCOMM INCORPORATED, a Delaware corporation, Defendant.	Case No. 5:17-cv-00220-LHK-NMC **NON-PARTY APPLE INC.'S STATUS REPORT REGARDING DOCUMENT PRODUCTION** Courtroom: 7, 4th Floor Judge: Hon. Nathanael M. Cousins
IN RE QUALCOMM ANTITRUST LITIGATION	Case No. 5:17-md-02773-LHK-NMC

REDACTED PUBLIC VERSION

Pursuant to the Court's October 18, 2017 Order on Discovery Disputes (ECF No. 239), Non-Party Apple Inc. ("Apple") submits the following status report regarding its document production in these cases:

Collection of Documents [redacted]: We have substantially completed document collection for 34 of Apple's custodians. We have some documents collected for 10 of Apple's remaining 11 custodians, and are in the process of conducting supplemental collections for those custodians. We have determined that Apple does not have custodial files for one former employee, Ryan Tatar, who left the company's employment in 2014. [redacted]

Search and De-Duplication: [redacted] 12.1 million documents have been captured by the search terms set by the Court, either because they hit on those search terms or because they are in document families with such documents. [redacted] At this time, there are 1.7 million documents slated for review.

Review and Production: We have completed initial review of approximately 130,000 documents, including some non-custodial documents. Many documents are still in the QC process or have been set aside for further review, such as privilege and privacy review. As of this filing, Apple has produced 4,453 documents comprising 83,978 pages. This does not include the approximately 24,000 documents (totaling over 150,000 pages) Apple produced to the FTC in connection with its investigation of Qualcomm, which have already been produced to Qualcomm.

Review Process: We currently have 115 attorneys on document review for this matter, in addition to outside counsel and Apple's in-house litigation support team. New reviewers are being trained and added to the review team as they become available, and we plan to continue expanding the review team through at least mid-November. In addition, as new reviewers become more familiar with this this case, their review rate generally accelerates. As of November

2, our review team was reviewing approximately 30,000 documents per day. That review rate will continue to increase as we increase the size of our review team and as the team continues to gain experience.

We have incorporated into our review process a Technology Assisted Review ("TAR") system to prioritize the review of documents that are more likely to be responsive. That system will allow us to front-load the documents that are most likely to be responsive, so that they can be produced earlier rather than later in our review process.

Finally, in order to expedite the flow of document production and meet the deadlines set by the Court, we are identifying some groups of custodial documents that we will produce without manual review, subject to potential claw-back. Because those documents will not have been manually reviewed, they will be designated "Apple Highly Confidential-Attorneys' Eyes Only" and produced based on an agreement between counsel that they will only be reviewed by outside counsel pending the entry of a supplemental Protective Order applicable to Apple's production of documents. If counsel for Qualcomm, Class Plaintiffs, or the FTC believe any specific documents should be designated at a lower level of confidentiality, Apple is willing to meet and confer regarding those documents.

Disputes: Qualcomm has requested that Apple add Bruce Sewell, Apple General Counsel, as a custodian in this matter. Apple agreed to make Mr. Sewell a custodian, provided that Qualcomm would agree to a deadline of January 8, 2018 for the substantial completion of his document production. Qualcomm agreed to that date and requested that Apple produce a privilege log for Mr. Sewell's documents by January 15, 2018. Apple has agreed to that request. However, Qualcomm has requested that Apple run search terms for legal *and* business custodians against Mr. Sewell's files; Apple has responded that Mr. Sewell, as Apple's General Counsel, is a legal custodian and should be treated as such. Qualcomm has not responded as of this filing.

Dated: November 3, 2017

Respectfully submitted,

By: */s/ Edward H. Takashima*

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