

Exhibit B



SAMSUNG

SAMSUNG ELECTRONICS AMERICA, INC.
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BY E-MAIL AND FIRST CLASS MAIL

August 7, 2015

Michael R. Shumaker, Esq.
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51 Louisiana Avenue, N.W.
Washington, D.C. 20001-2113

**RE: *United States v. AB Electrolux, et al.*
Case No. 1:15-cv-01039-EGS (D.D.C.)**

***Samsung Electronics America, Inc.'s Objections to AB Electrolux
and Electrolux North America, Inc.'s Subpoena Duces Tecum***

Dear Mr. Shumaker:

This responds to the Subpoena *Duces Tecum* (the "Subpoena") served by AB Electrolux and Electrolux North America, Inc. (together "Electrolux") on non-party Samsung Electronics America, Inc. ("SEA") on July 24, 2015.

I. GENERAL OBJECTIONS TO THE SUBPOENA

1. SEA objects to the Subpoena in its entirety as failing to provide a reasonable time to comply, as required by Federal Rule of Civil Procedure 45. The Subpoena was served on July 24, 2015, and demands compliance by August 12, 2015—a mere 19 days later. This limited response period is wholly unreasonable in light of the Subpoena's 23 document requests' breadth. Read together, the requests seek virtually every home appliance-related document in SEA's possession over a 10-year period. Thus, even if Electrolux's sweeping document requests passed muster under the Federal Rules of Civil Procedure—which they do not—it would take SEA many months beyond the 19 days allotted by the Subpoena to comply. SEA will not produce documents within the specified timeframe.

2. SEA objects to the Subpoena to the extent it purports to impose discovery obligations on SEA that are broader than, or inconsistent with the Federal Rules of Civil Procedure, Federal Rules of Evidence, and any other applicable court rule or statute.

3. The Subpoena is improper in its entirety because of Electrolux's failure to propound reasonably tailored document requests. Electrolux's failure to propound reasonable document requests imposes an undue burden on SEA. Read in its entirety, the Subpoena seeks virtually every shred of information regarding SEA's home

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appliances business that was created, sent or received over a 10-year time period. The Subpoena is overreaching, and the burden of identifying, collecting, processing, reviewing and producing that information far exceeds the limited probative value of the information. The overreaching nature of the Subpoena is made clear by the fact that it seeks information regarding home appliance categories that have nothing to do with the underlying litigation. Moreover, the Subpoena also seeks documents that have no conceivable bearing on the question of whether Electrolux's acquisition of GE's appliance business will lessen competition in the relevant markets.

4. SEA objects to the Subpoena to the extent it is duplicative of and cumulative to discovery obtained by Electrolux in the underlying lawsuit, or seeks information that is more readily obtainable from the parties to the underlying lawsuit.

5. SEA objects to the Subpoena because it seeks confidential information pertaining to SEA's business, employees, internal procedures, trade secrets and business relationships. For example, Document Request No. 1 seeks all documents reflecting SEA's plans for its appliance business from January 1, 2012, onwards. SEA's plans for its home appliance business are highly confidential, competitively-sensitive information that should not be divulged to its competitors. SEA further objects to the extent the requests for documents seek confidential information that would impinge on the confidential information provided by its business counterparties. SEA further objects that the Stipulated Protective Order negotiated by the parties to the underlying lawsuit does not adequately safeguard the confidentiality of non-parties' information. Among other things, it would permit in-house Electrolux and GE attorneys to review highly confidential competitively-sensitive information. SEA will not produce information in response to the Subpoena until its confidentiality concerns are addressed. SEA further reserves the right to withhold certain documents on the ground that they are so sensitive that they should not be produced to competitors under any circumstance.

6. SEA objects to the Subpoena to the extent it seeks documents protected by the attorney-client privilege, the attorney work product doctrine, or any other applicable law, privilege, protection, or doctrine.

7. SEA objects to the Subpoena to the extent it purports to require SEA to produce documents without Electrolux's agreement to pay SEA's costs of identifying, collecting, reviewing and producing such documents. SEA will not produce any documents absent Electrolux's agreement to pay SEA's costs. The cost of identifying, collecting, reviewing and producing documents responsive to Electrolux's sweeping requests would be immense, and would impose an undue burden on SEA. Indeed, Electrolux's document requests seek nearly every document relating to SEA's home appliance business over a 10-year time period, and it is evident that identifying, collecting and producing such documents would entail hundreds of thousands of dollars in attorney, professional and vendor costs.

8. SEA objects to the definition of "Bid" on the grounds that it is vague and ambiguous. The definition renders an otherwise clear term ambiguous because the terms "relevant appliance product" and "competitive commercial process" are undefined

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and lack a common meaning. Among other things, the term “relevant appliance product” is ambiguous because it is unclear whether the “appliance product” is “relevant” for purposes of this lawsuit or the “competitive commercial process.”

9. SEA objects to the definition of “Contract Channel” on the grounds that it is vague and ambiguous. Specifically, the term “distributor” is vague and ambiguous as used in this definition because it could encompass virtually any business or person involved in the purchase and re-sale of appliances, including retailers. In addition, the definition is vague and ambiguous because the term “manufactured housing” is undefined and lacks a common meaning.

10. SEA objects to the definition of “Pro Business” and “Contractor Business” on the grounds that it is vague and ambiguous. The definition is nonsensical because builders and/or distributors may purchase products from any and all of a retailer’s business units, sections or divisions. For example, nothing precludes a builder from purchasing an appliance from a retailer’s retail location.

11. SEA objects to the definition of “Sales Data” on the ground that it is overbroad. The definition’s attempt to encompass “all transactions” for the sale of appliances to SEA’s customers is overreaching, and seeks multiple categories of information that have no conceivable relevance to the underlying lawsuit.

12. SEA objects to the definition of “Samsung,” “You” and “Yours” as overly broad and because it purports to require SEA to respond to the subpoena on behalf of entities other than SEA. Among other things, the definition purports to include Samsung Electronics, Co., Ltd. (“SEC”). SEC has not been served with a subpoena, and SEC information is beyond SEA’s possession, custody or control. SEA further objects to the definition’s inclusion of SEA’s subsidiaries, affiliates, partnerships and joint ventures as improper because they have not been served with a subpoena. SEA also objects that is no way of knowing all persons who purporting to act on SEA or SEC’s behalf. SEA is responding to the subpoena on behalf of Samsung Electronics America, Inc. only, and not on behalf of any other entity. And in responding to the subpoena, SEA will construe the terms “Samsung,” “You” and “Yours” to mean Samsung Electronics America, Inc. only, and no other person or entity.

13. SEA objects to Instruction No. 1 on the ground that it imposes an undue burden. An instruction that SEA is to produce “all responsive Documents” is wholly unreasonable in light of the Subpoena’s 19-day response time, the Subpoena’s 10+ year relevant time period, and the 23 requests’ sweeping breadth. The cost of identifying, collecting, reviewing and producing “all responsive Documents” would cost hundreds of thousands of dollars. Moreover, this process would take many months. SEA will not comply with this unreasonable instruction.

14. SEA objects to Instruction No. 2 on the ground that the relevant time period specified by the subpoena imposes an undue burden. The need to identify, collect, review and produce documents that might be responsive to the subpoena’s numerous sweeping document requests from a 10+ year relevant time period imposes

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an immense burden on SEA, particularly when viewed in the context of the limited response time provided by Electrolux. SEA further objects that a 10+ year time period is overbroad, as documents created during the bulk of this time period are not relevant to the underlying lawsuit.

15. SEA objects to Instruction No. 4 on the ground that it imposes an undue burden. SEA will not translate documents that are written in a language other than English. SEA should not be burdened with the time and expense of translating such documents. No translations of documents will be provided by SEA.

16. SEA objects to Instruction Nos. 5 and 10 on the ground that it imposes an undue burden. The Instruction's attempt to require a particular production format imposes an undue burden on SEA, and any document production will only be made in a mutually-agreed format, and subject to Electrolux's agreement to pay for SEA's costs of harvesting, processing and producing such information.

17. SEA objects to Instruction No. 6 on the ground that it imposes an undue burden. The Instruction that information be provided in a particular format imposes an undue burden because SEA does not keep information in the requested format. Moreover the request for information regarding "all sales transactions" including details such as the "ship-to location" imposes an undue burden as this could encompass tens of thousands of transactions over the 10+ year time period covered by the Subpoena. SEA further objects that the instruction calls for the production of information regarding "appliances," many of which have no relevance to the underlying lawsuit. Among other things, the instruction specifically refers to products such as "top-mount refrigerator[s]" and "front loading washer"—product categories that have nothing to do with the underlying case.

18. SEA objects to Instruction No. 13 on the ground that it imposes an undue burden. This instruction is unreasonable and objectionable because the underlying 23 requests are wholly unreasonable.

II. RESPONSES AND OBJECTIONS TO THE SUBPOENA'S SPECIFIC DOCUMENT REQUESTS

Objections to Document Request No. 1

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad and unduly burdensome. SEA objects that the request imposes an undue burden because it seeks "[a]ll documents" regarding SEA's business plans, forecasts, projections and strategies regarding its appliance business regardless of their relevance to the underlying case. It is inconceivable that all such documents are relevant to the underlying case. Indeed, the request seeks documents regarding all "appliances," including product categories that are not at issue in the underlying lawsuit. For example, documents regarding SEA's strategy with respect to residential dryers have no conceivable relevance to the underlying lawsuit. Likewise, the request seeks SEA's projections, but SEA's prognostications about the

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appliance business' future likewise have no probative value in determining whether the proposed Electrolux acquisition will diminish competition in the relevant market. SEA further objects that the request seeks highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE.

Objections to Request to Produce No. 2

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad and unduly burdensome. SEA objects that the request imposes an undue burden because it seeks "[a]ll documents" regarding SEA's current and planned distribution, installation and service capabilities in the U.S. with respect to the sale of appliances regardless of their relevance to the underlying case. For example, documents regarding SEA's service capabilities have no conceivable relevance to the question of whether Electrolux's acquisition of GE's appliances business will lessen competition in the relevant markets. Moreover, the request's over-reaching nature is made evident by the fact that it seeks documents relating to all appliances, including product categories such as laundry that are not at issue in the underlying litigation. The request is also vague and ambiguous because the phrase "service capabilities ... to support the sale of appliances" is nonsensical. SEA further objects that the request seeks highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE.

Objections to Request to Produce No. 3

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad and unduly burdensome. SEA objects that the request imposes an undue burden because it seeks "[a]ll documents" regarding SEA's "views as to competition in the sale of appliances" in the United States. It is indisputable that this request is overreaching, as it seeks nearly all SEA documents regarding the U.S. appliances market over the past ten years. It is inconceivable that all such documents are relevant to the underlying case. In addition, SEA's "views" regarding the U.S. appliance business have no probative value in determining whether Electrolux's proposed acquisition will diminish competition in the relevant market. Moreover, the burden of gathering the requested documents would be immense. The request is also improper because it seeks information regarding all appliances, regardless of whether the appliance categories are at issue in the underlying case. SEA further objects that the request seeks highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE.

Objections to Request to Produce No. 4

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad and unduly burdensome. SEA also objects that the request imposes an undue burden because it seeks documents sufficient to identify Samsung laundry and kitchen appliances offered for sale in the US since January 1, 2012. The request is unreasonable because laundry products are not at issue in the underlying lawsuit. Moreover, the request is unreasonable because

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information regarding the identity of SEA laundry and kitchen appliances offered for sale in the U.S. from January 1, 2012, has no conceivable relevance to the underlying lawsuit. Moreover, the request for information regarding appliances that “are expected to be introduced or offered for sale in the future” seeks confidential trade secrets, which should not be provided to competitors. To the extent the request seeks information regarding appliance models previously or currently sold by SEA in the U.S., Electrolux can readily obtain that information from public sources such as the Internet without burdening SEA. SEA further objects that it should not be required to disclose information regarding future models as this is highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE.

Objections to Request to Produce No. 5

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad and unduly burdensome. In addition, SEA objects that the request imposes an undue burden because it seeks information that has no relevance to the underlying lawsuit. SEA communications or analyses regarding Electrolux’s proposed acquisition of GE’s appliance business have no conceivable relevance to the question at issue, namely, whether the proposed transaction is likely to lessen competition in the relevant markets. SEA employees’ views regarding the proposed transaction have absolutely no bearing on the proposed transaction’s likely competitive effects.

Objections to Request to Produce No. 6

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is unduly burdensome. Documents and information provided to or received from the United States Department of Justice are more readily available from the DOJ, and non-party SEA should not be burdened with this request. SEA also objects that the request seeks highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE.

Objections to Request to Produce No. 7

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is vague, ambiguous, overbroad and unduly burdensome. SEA objects that the request imposes an immense and undue burden on SEA by seeking information regarding all SEA appliance sales in the U.S. over a 10-year time period. The task of pulling transactional data for tens of thousands of sales transactions imposes an immense burden. In addition, an additional burden is created by the fact that much of the requested data is stored in archives and the burden of retrieving the information from a cost and timing standpoint would impose an immense burden on SEA. SEA further objects that the request is vague and ambiguous because the term “appliance customers” is undefined and lacks a common meaning. Among other things, it is unclear whether this term refers to the purchaser of an appliance or the ultimate end consumer. The request is also improper because it seeks data regarding all appliances sold by SEA, regardless of whether the appliance category is at issue in the underlying

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lawsuit. SEA further objects that the request seeks highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE.

Objections to Request to Produce No. 8

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request seeks information that has no relevance to the underlying case. SEA objects that the request for information regarding appliance sales on a global basis is completely irrelevant to the underlying case. The underlying case concerns the competitive implications of Electrolux's acquisition of GE's appliance business in the U.S. Thus, the request for information regarding global sales is improper. In addition, the request is also improper because it seeks information regarding all appliance categories, regardless of whether the appliance categories are at issue in the underlying case. The Subpoena's overreach is laid bare by the fact the first appliance category listed in the request is "dishwasher," a category that is not at issue in the underlying lawsuit.

Objections to Request to Produce No. 9

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is vague, ambiguous, overbroad and unduly burdensome. SEA objects that the request imposes an immense and undue burden on SEA by seeking information regarding the profitability of SEA appliance sales "by customer" in the U.S. over a 10 year period. SEA further objects that the burden issue is exacerbated by the fact that hundreds if not thousands of customers have bought appliances from SEA over this time. Thus the task of retrieving the requested data imposes an immense burden on SEA. Moreover much of the requested data is stored in data archives and the burden of retrieving the information from a cost and timing standpoint would impose an immense burden on SEA. SEA further objects that the request is improper because it seeks highly confidential profitability information regarding SEA's commercial relationships with vendors, information that is highly sensitive and should not be disclosed to its competitors. SEA also objects that information regarding the profitability of its customer relationships has no conceivable relevance to the underlying lawsuit.

Objections to Request to Produce No. 10

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is vague, ambiguous, overbroad and unduly burdensome. SEA objects that the request imposes an immense and undue burden on SEA by seeking information regarding the profitability of SEA appliance sales in the U.S. over a 10-year time period. Much of the requested data is stored in data archives and the burden of retrieving the information from a cost and timing standpoint would impose an immense burden on SEA. This request is also improper because it seeks information regarding all appliances, regardless of whether the appliance categories are at issue in the underlying case. SEA further objects that the request is improper because it seeks

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highly confidential profitability information regarding SEA's appliance business that should not be disclosed to its competitors. SEA also objects that information regarding the profitability of its home appliance business has no conceivable relevance to the underlying lawsuit.

Objections to Request to Produce No. 11

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad, unduly burdensome and seeks information that has no conceivable relevance to the underlying case. SEA objects that the request imposes an immense and undue burden on SEA by seeking information regarding its contracts with all retail, builder or contract customers for its appliances, as well as "all" documents relating to the negotiation of such contracts. SEA objects that it has dealt with hundreds of vendors over the Subpoena's 10-year time period, and the burden of retrieving those contracts (and the numerous amendments thereto) would impose an immense burden on SEA. In addition, the task of negotiating a contract is an iterative process with multiple rounds of drafting, and the task of retrieving and collecting such documents and communications for hundreds of customer contracts imposes a colossal burden on SEA. SEA further objects that the terms of its contracts with appliance purchasers have no conceivable relevance to the underlying lawsuit. And documents relating to the negotiation of those contracts have even less relevance than the contracts themselves. SEA also objects that the request is also improper because it seeks information regarding all appliances, regardless of whether the appliance categories are at issue in the underlying case. SEA also objects that information regarding its customer relationships is confidential, competitively sensitive information that should not be disclosed to rivals.

Objections to Request to Produce No. 12

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad, unduly burdensome and seeks information that has no conceivable relevance to the underlying case. Read literally, the request seeks any document that even refers to a bid or request for proposal relating to SEA appliances. In addition, the request is objectionable because it seeks information regarding all appliances, regardless of whether the appliance categories are at issue in the underlying case. SEA objects that the request imposes an immense and undue burden on SEA by seeking "all" documents regarding bids or requests for proposals in the United States over a seven year time period. SEA further objects that the information seeks highly confidential, competitively-sensitive information that should not be disclosed to its competitors.

Objections to Request to Produce No. 13

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is vague, ambiguous, overbroad and unduly burdensome. SEA objects that the terms "meeting competition requests", "price exception requests" and "similarly purposed requests" are vague and ambiguous because they are

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undefined and lack a common meaning. SEA further objects that the request seeks information regarding information spanning a ten-year time period, and that the request therefore imposes an undue burden on SEA. This request is also improper because it seeks information regarding all appliances, regardless of whether the appliance categories are at issue in the underlying case. SEA further objects that the information seeks highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE.

Objections to Request to Produce No. 14

SEA incorporates by reference its General Objections. SEA further objects on the ground that this request seeks irrelevant information. SEA objects that its internal organization has no bearing on the issue in the underlying case—namely, whether Electrolux's acquisition of GE will lessen competition in the relevant markets. Moreover, information regarding the identities of SEA employees is highly confidential that should not be divulged to competitors such as Electrolux and GE.

Objections to Request to Produce No. 15

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad, unduly burdensome and seeks irrelevant information. SEA objects that the requested information has no relevance to the underlying lawsuit. Information regarding SEA's sales and services organizations, delivery and installation capabilities, and the duties of the employees in those groups has no conceivable relevance to the issues in the underlying lawsuit. For example, what conceivable relevance could the duties of SEA's employees have on the question of whether Electrolux's acquisition of GE's appliances business will lessen competition in the relevant markets? The only reasonable response is "none." SEA further objects that the request is overbroad because it seeks information regarding product categories that are not at issue in the underlying case—further evidence of the overreaching nature of Electrolux's Subpoena. And SEA also objects that the information seeks highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE.

Objections to Request to Produce No. 16

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad, unduly burdensome and seeks irrelevant information. SEA also objects that the request is overbroad and unduly burdensome because it seeks "all" documents relating to SEA's plans, strategies and steps taken or proposed or considered in connection with its sale of appliances to the contract channel over a 10 year period. It is inconceivable that "all" documents are somehow relevant to the underlying lawsuit. SEA further objects that the information seeks highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE. For example, there is no reason why Electrolux or GE's in-house attorneys should be privy to information regarding SEA's plans to expand in the contract channel. SEA further objects that the request is overbroad

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because it seeks information regarding product categories that are not at issue in the underlying case—further proof of Electrolux's Subpoena overreach.

Objections to Request to Produce No. 17

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad, unduly burdensome and seeks irrelevant information. SEA objects that its attendance at trade, home or appliance shows since January 1, 2010, is a matter that has no relevance to the underlying lawsuit. For example, if SEA representatives attended the 2013 New Jersey Home Show, what conceivable relevance could that have to the question of whether the proposed acquisition by Electrolux of GE's appliance business will lessen competition in the relevant markets? Again, the only reasonable answer is "none." Likewise, the request for presentations or handouts used at those shows is likewise irrelevant because such materials are not probative of any issue in the case. If Electrolux persists in its untenable belief that this information is somehow relevant to the lawsuit, its counsel is encouraged to ask Electrolux's employees whether SEA attended the trade shows attended by Electrolux.

Objections to Request to Produce No. 18

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad, unduly burdensome and seeks irrelevant information. SEA also objects that the request is overbroad and unduly burdensome because it seeks "all" documents relating to SEA's plans, strategies and steps taken or proposed or considered in connection with its cooking appliances business in the U.S. over a 10+ year period. It is inconceivable that "all" documents regarding these issues are relevant to the underlying lawsuit. SEA further objects that the information seeks highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE.

Objections to Request to Produce No. 19

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is overbroad, unduly burdensome and seeks irrelevant information. SEA further objects that the information seeks highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE. For example, the identity of retailers or distributors approached by SEA in connection with its commercial activities is highly confidential, competitively-sensitive information. SEA further objects that the request for "all" documents relating to SEA's efforts to sell appliances via the contract channel is overbroad and unduly burdensome because "all" documents are not relevant to the underlying lawsuit. The burden of searching for documents produced over a 10+ year period imposes an immense burden on SEA.

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SEA incorporates by reference its General Objections. SEA objects that the term “contract manufacturing relationship” is vague and ambiguous as it is undefined and lacks a common meaning. Subject to and without waiving the foregoing general objections, SEA responds that it does not manufacture appliances and therefore has no contracts or agreements responsive to this Request.

Objections to Request to Produce No. 21

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is unduly burdensome and seeks irrelevant information. For example, whether SEA uses call centers in Bangor, Maine or Bangalore, India has no conceivable relevance on the issues presented by the underlying lawsuit—*i.e.*, whether the acquisition of GE’s appliances business by Electrolux will diminish competition in the relevant markets. Likewise, information regarding the “IT connectivity” used by SEA has no relevance to the underlying case. There is no valid basis—even giving the most liberal reading of Federal Rule of Civil Procedure 26—for seeking information regarding the wiring and other IT-related technology used by SEA. Because the request seeks irrelevant information, it imposes an undue burden on SEA.

Objections to Request to Produce No. 22

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is vague, ambiguous, overbroad, unduly burdensome and seeks irrelevant information. The request is vague and ambiguous because the phrase “increase its presence or other capabilities” is undefined, and lacks a common meaning. It is unclear what “increase its presence” means. Assuming that the request seeks information regarding SEA’s relationship with retailers, SEA further objects that the information seeks highly confidential, competitively-sensitive information that should not be disclosed to competitors such as Electrolux and GE. For example, information regarding SEA’s efforts to work with its retailers is highly confidential, competitively-sensitive information. Moreover, these efforts are also the subject of non-disclosure agreements intended to safeguard the confidentiality of these efforts. SEA further objects that the request for “all” documents relating to SEA’s efforts to enhance its retailer relationships is overbroad because it is inconceivable that all such documents are relevant. For example, read literally, this encompasses documents such as SEA’s collaboration on a store display at a specific retail store. The burden of identifying, reviewing and producing this information far exceeds the limited probative value of such information.

Objections to Request to Produce No. 23

SEA incorporates by reference its General Objections. SEA further objects on the grounds that this request is vague, ambiguous, overbroad, unduly burdensome and seeks irrelevant information. The request is vague and ambiguous because the terms “capacity,” “capacity utilization,” and “excess (unutilized) capacity” are undefined and

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lack a common meaning. Subject to and without waiving the foregoing general and specific objections, SEA responds that it does not engage in manufacturing activities, and that it therefore lacks information regarding these issues.

Very truly yours,



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cc: Michael E. Antalics, Esq. (*by e-mail*)