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Sherry Griffis
District Clerk
Harrison County, Texas

Lori Hightower
Deputy

Case No. 22-0762

KONINKLIJKE KPN N.V.,	§	IN THE DISTRICT COURT
	§	
	§	
Plaintiff,	§	
	§	
v.	§	OF HARRISON COUNTY, TEXAS
	§	
SAMSUNG ELECTRONICS CO., LTD.	§	
	§	
	§	
	§	
Defendants.	§	71st JUDICIAL DISTRICT

FINAL JUDGMENT

This case between Plaintiff Koninklijke KPN N.V. ("KPN") and Defendant Samsung Electronics Co., Ltd. ("Samsung") was heard for jury trial between February 20, 2024, and February 23, 2024. All parties appeared in person and through their attorneys of record. At the conclusion of the trial, the Court submitted this case to the jury. In response to the jury charge, the jury made findings that the Court received and accepted. The questions submitted to the jury and the jury's findings are incorporated for all purposes in this judgment by reference as if fully set forth herein. Specifically, the jury found in Question 1 that Samsung took a license from a Patent Pool (as defined in the jury charge) when it entered into the 2021 Agreement and in Question 2 that Samsung breached Section 2.3.1 of the 2016 Agreement. The jury found in Question 3 that $287,000,000 would fairly and reasonably compensate KPN for Samsung's breach. In light of these findings, the jury did not answer Questions 4 or 5 on KPN's claim for unjust enrichment.

The Court rules for KPN on its claim for breach of contract. The Court rules that KPN has preserved its right of recovery under its in-the-alternative claim of unjust enrichment.

KPN sought damages in the amount of at least $286,929,726 on its claim for breach of contract. KPN voluntarily remits $70,274. The Court rules that KPN is entitled to recover $286,929,726 for breach of contract damages.

The Court awards KPN $55,621,688.73 in prejudgment interest, calculated as follows: (1) prejudgment interest on $89,223,953.29 (for Period 1 damages) at the rate of 9% per annum from August 30, 2021 until April 15, 2024 in the amount of $21,098,409.27; (2) prejudgment interest on $121,629,833.85 (for Period 2 damages) at the rate of 9% per annum from August 30, 2021 until April 15, 2024 in the amount of $28,761,290.30; (3) prejudgment interest on $76,075,939.62 (for Period 3 damages) as follows: (i) prejudgment interest on $12,400,349.20 (for July 31, 2021 to December 31, 2021 damages) at the rate of 9% per annum from January 1, 2022 until April 15, 2024 in the amount of $2,553,112.99; (ii) prejudgment interest on $23,135,856.78 (for January 1, 2022 to December 31, 2022 damages) at the rate of 9% per annum from January 1, 2023 until April 15, 2024 in the amount of $2,681,223.95; (iii) prejudgment interest on $20,380,217.86 (for January 1, 2023 to December 31, 2023 damages) at the rate of 9% per annum from January 1, 2024 until April 15, 2024 in the amount of $527,652.22; and (iv) no prejudgment interest on $20,159,515.79 (for January 1, 2024 to December 31, 2024 damages). Additional prejudgment interest will accrue in the per diem amount of $65,778.96 from April 16, 2024, until the day preceding the date this judgment is signed.

Accordingly, it is ORDERED, ADJUDGED, AND DECREED that Koninklijke KPN N.V. recover from Samsung Electronics Co., Ltd. actual damages in the amount of $286,929,726. It is further

ORDERED, ADJUDGED, AND DECREED that Koninklijke KPN N.V. recover from Samsung Electronics Co., Ltd. prejudgment interest in the amount of $55,621,688.73, plus $65,778.96 per day from April 16, 2024, until the day before this judgment is signed. It is further

ORDERED, ADJUDGED, AND DECREED that Koninklijke KPN N.V. recover from Samsung Electronics Co., Ltd. costs of court in the amount of $350. It is further

ORDERED, ADJUDGED, AND DECREED that Koninklijke KPN N.V. recover from Samsung Electronics Co., Ltd. postjudgment interest on this judgment at the rate of 8.50% per annum, compounded annually, from the date the Court signs this judgment until Samsung Electronics Co., Ltd. pays it in full.

All relief not expressly granted herein is denied. This judgment finally disposes of all claims and all parties and is appealable.

The clerk is directed to issue all writs and processes necessary for the enforcement and execution of this judgment.

SIGNED this 2 day of May, 2024.

Hon. Brad Morin

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