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10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA

13 APPLE COMPUTER, INC.,  
 14 Plaintiff,  
 15 v.  
 16 BURST.COM, INC.,  
 17 Defendant.

Case No. C 06-0019 MHP  
 MISCELLANEOUS ADMINISTRATIVE  
 REQUEST PURSUANT TO CIVIL  
 LOCAL RULES 7-10 AND 79-5 TO  
 SEAL DOCUMENTS

Hon. Marilyn Hall Patel

Complaint Filed: January 4, 2006  
 Trial Date: February 26, 2008

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Apple Computer, Inc. (“Apple”) hereby requests, pursuant to Civil Local Rules 7-10 and 79-5, an Order sealing Exhibit A To The Declaration Of Leeron G. Kalay In Support Apple’s Second Motion For Summary Judgment of Invalidity lodged with the Court on July 13, 2007. Specifically, **Exhibit A** is a true and correct copy of excerpts from the deposition of Richard Lang in *Apple, Inc. v. Burst. com, Inc.* Civil No. C 06-0019 MHP taken on January 8, 2007.

The forgoing exhibit is lodged with the Declaration Of Leeron G. Kalay In Support of Apple’s Second Motion For Summary Judgment of Invalidity. Pursuant to a stipulated protective order filed with this Court on September 15, 2006, parties may designate documents as Confidential Counsel’s Eyes Only. See Declaration of Nicholas V. Martini In Support Of Plaintiff’s Miscellaneous Administrative Request Pursuant to Civil Local Rules 7-10 and 79-5 to Seal Documents (“Martini Decl. In Support of Apple’s Miscellaneous Administrative Request”), Exhibit 1. The Protective Order requires that, when so designated, such materials are to be filed with the Court under seal. *Id.* at ¶ 14. **Exhibit A** has been designated as Confidential Outside Attorneys’ Eyes Only by Burst.com, Inc. See Martini Decl. In Support of Apple’s Miscellaneous Administrative Request.

Accordingly, this narrowly tailored request to seal is only for material for which good cause to seal has been established. A Proposed Order has been filed and served herewith.

Dated: July 13, 2007

WEIL, GOTSHAL & MANGES LLP

By:           /s/ Nicholas V. Martini            
Nicholas V. Martini  
Attorneys for Plaintiff  
Apple Computer, Inc.