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Apple Computer, Inc. ("Apple") hereby requests, pursuant to Civil Local Rules 7-10 and 79-5, an Order sealing Exhibits C and D to the Declaration Nicholas A. Brown in Support of Apple Computer, Inc.'s Motion to Strike the Declarations of Drs. Gersho and Hemami, and Richard Lang, lodged with the Court on September 16, 2007. Specifically, **Exhibit C** is a true and correct copy of excerpts of the transcript of the deposition of Richard Lang, taken January 9, 2007; **Exhibit D** is a true and correct copy of excerpts of the transcript of the deposition of Richard Lang, taken July 26, 2007.

The forgoing exhibits are lodged with the Declaration Nicholas A. Brown in Support of Apple Computer, Inc.'s Motion to Strike the Declarations of Drs. Gersho and Hemami, and Richard Lang. Pursuant to a stipulated protective order filed with this Court on September 15, 2006, parties may designate documents as Confidential Counsel's Eyes Only. The Protective Order requires that, when so designated, such materials are to be filed with the Court under seal. *Id.* at ¶ 14. **Exhibit C and D** have been designated as Confidential by Burst.com, Inc. *See* Kalay 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: September 16, 2007 WEIL, GOTSHAL & MANGES LLP

By: /s/ Leeron Kalay
Leeron G. Kalay
Attorney for Plaintiff
Apple Computer, Inc.