Case 3:06-cv-00019-MHP Document 167 Filed 09/17/2007 Page 1 of 2 1 MATTHEW D. POWERS (Bar No. 104795) matthew.powers@weil.com GARLAND T. STEPHENS (admitted N.D.C.A., 2 Texas Bar No. 24053910) 3 garland.stephens@weil.com NICHOLAS A. BROWN (Bar No. 198210) nicholas.brown@weil.com 4 WEIL, GOTSHAL & MANGES LLP 5 Silicon Valley Office 201 Redwood Shores Parkway Redwood Shores, CA 94065 6 Telephone: (650) 802-3000 7 Facsimile: (650) 802-3100 8 Attorneys for Plaintiff APPLE COMPUTER, INC. 9 10 UNITED STATES DISTRICT COURT 11 NORTHERN DISTRICT OF CALIFORNIA 12 13 APPLE COMPUTER, INC., Case No. C 06-0019 MHP 14 Plaintiff. DECLARATION OF LEERON G. KALAY IN SUPPORT OF 15 MISCELLANEOUS ADMINISTRATIVE v. REQUEST PURSUANT TO CIVIL 16 BURST.COM, INC., LOCAL RULES 7-10 AND 79-5 TO **SEAL DOCUMENTS** 17 Defendant. Hon. Marilyn Hall Patel 18 Complaint Filed: January 4, 2006 19 Trial Date: February 26, 2008 20 21 22 23 24 25 26 27 28

KALAY DECL. ISO MISC. ADMINISTRATIVE REQUEST PURSUANT TO CIVIL LOCAL RULES 7-10 & 79-5 TO SEAL DOCUMENTS

Case No. C 06-0019 MHP

1	I, Leeron G. Kalay, declare:
2	1. I am a member of the Bar of this Court and an attorney with the law firm of
3	Weil, Gotshal & Manges LLP, counsel of record for Apple Computer, Inc. in the above-captioned
4	matter. I submit this declaration based on personal knowledge and following a reasonable
5	investigation. If called upon as a witness, I could competently testify to the truth of each
6	statement herein.
7	2. A stipulated protective order was filed with the Court on September 15,
8	2006, which states in part that parties may designate documents as Confidential Counsel's Eyes
9	Only. The protective order requires that, when so designated, such materials are to be filed with
10	the Court under seal. <i>Id.</i> at ¶ 14.
11	3. Exhibits C and D lodged with the Declaration Nicholas A. Brown in
12	Support of Apple Computer, Inc.'s Motion to Strike the Declarations of Drs. Gersho and
13	Hemami, and Richard Lang have been designated as Confidential by Burst.com, Inc.
14	I declare under penalty of perjury under the laws of the United States of America
15	that the foregoing is true and correct.
16	Executed on September 16, 2007, at Redwood Shores, California.
17	WEIL, GOTSHAL & MANGES LLP
18	By: /s/Learon G. Kalay
19	By: <u>/s/ Leeron G. Kalay</u> Leeron G. Kalay
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