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8 Attorneys for Plaintiff
 APPLE COMPUTER, INC.
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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12

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

1 Apple Computer, Inc. (“Apple”) hereby requests, pursuant to Civil Local Rules 7-
2 10 and 79-5, an Order sealing the exhibits to the Declaration of Leeron G. Kalay in Support of
3 Apple’s Motion For Summary Judgment of Noninfringement of the “Stored Time Compressed
4 Representation” Limitation lodged with the Court on January 4, 2007, specifically:

- 5 • **Exhibit 1** – a true and correct copy of the transcript of the deposition of Jeff
6 Robbin, taken on September 19, 2006.
- 7 • **Exhibit 2** - a true and correct copy of the transcript of the deposition of Patrice
8 Gautier, taken on October 25, 2006.
- 9 • **Exhibit 3** - a true and correct copy of excerpts from the transcript of the deposition
10 of Richard Lang in *Burst.com, Inc. v. Microsoft Corp.*, Case No. 02-2090 (District
11 of Maryland), taken on July 23, 2003.

12 Each of the forgoing exhibits is lodged with the Declaration of Leeron G. Kalay in
13 Support of Apple’s Motion for Summary Judgment of Noninfringement of the “Stored Time
14 Compressed Representation” Limitation. Pursuant to a stipulated protective order filed with this
15 Court on September 15, 2006, parties may designate documents as Confidential Counsel’s Eyes
16 Only. *See* Declaration of Leeron G. Kalay in Support of Plaintiff’s Miscellaneous Administrative
17 Request Pursuant to Civil Local Rules 7-10 and 79-5 to Seal Documents (“Kalay Decl. in Support
18 of Apple’s Miscellaneous Administrative Request”), Exhibit A. The Protective Order requires
19 that, when so designated, such materials are to be filed with the Court under seal. *Id.* at ¶ 14.
20 Both exhibits 1 and 2 have been designated as Confidential Outside Attorneys’ Eyes Only by
21 Apple, and Exhibit 3 has been designated as Confidential by Burst.com, Inc. *See* Kalay Decl. in
22 Support of Apple’s Miscellaneous Administrative Request.
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1 Accordingly, this narrowly-tailored request to seal is only for material for which
2 good cause to seal has been established. A Proposed Order has been filed and served herewith.

3 Dated: January 4, 2007

WEIL, GOTSHAL & MANGES LLP

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5 By: _____/s/_____
6 Leeron G. Kalay
7 Attorney for Plaintiff
8 Apple Computer, Inc.
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