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5 Attorney for Defendant/Counterclaimant  
 PSYSTAR CORPORATION

7 IN THE UNITED STATES DISTRICT COURT  
 8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

9 APPLE INC., a California corporation,

10 *Plaintiff,*

11 v.

12 PSYSTAR CORPORATION,

13 *Defendants.*

14 AND RELATED COUNTERCLAIMS

CASE NO. CV-08-03251-WHA

**MISCELLANEOUS  
 ADMINISTRATIVE MOTION TO  
 FILE UNDER SEAL PSYSTAR  
 CORPORATION'S RESPONSE IN  
 OPPOSITION TO APPLE INC.'S  
 MOTION TO DISMISS OR ENJOIN  
 PROSECUTION OF THE  
 RECENTLY-FILED FLORIDA  
 ACTION AND TO RE-OPEN  
 DISCOVERY FOR LIMITED  
 PURPOSES**

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 18 Defendant Psystar Corporation submits this Administrative Request pursuant to Civil Local  
 19 Rules 7–11 and 79–5(c) for permission to file under seal portions of Psystar Corporation's Response in  
 20 Opposition to Apple Inc.'s Motion to Dismiss or Enjoin Prosecution of the Recently-Filed Florida  
 21 Action and to Re-open Discovery for Limited Purposes. This motion contains information designated  
 22 by Apple as Confidential or Confidential Attorneys' Eyes Only under the Stipulated Protective Order  
 23 approved by this Court on March 2, 2009. Psystar itself has no interest in keeping this material under  
 24 seal, but files this request in order to comply with the protective order. Pursuant to Civil Local Rule  
 25 79–5(c), a sealed copy of the above-described document is being lodged with the clerk along with a  
 26 fully redacted copy.  
 27

28 MISCELLANEOUS ADMINISTRATIVE MOTION TO FILE UNDER SEAL PSYSTAR  
 CORPORATION'S RESPONSE IN OPPOSITION TO APPLE INC.'S MOTION TO ENJOIN OR  
 DISMISS (CV 08-03251 WHA)

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Dated: September 18, 2009

Respectfully submitted,  
CAMARA & SIBLEY LLP

By: /s/ K.A.D. Camara \_\_\_\_\_  
K.A.D. Camara

*Attorney for Defendant / Counterclaimant  
Psystar Corporation*

1 **CERTIFICATE OF SERVICE**

2 I, Michael Wilson, declare I am employed in the City of Houston and County of Harris, Texas  
3 in the office of Camara & Sibley. I am over the age of eighteen and not a party to this action. My  
4 business address is Camara & Sibley, 2339 University Boulevard, Houston, Texas 77005.

5 I served the following document(s):

6 **MISCELLANEOUS ADMINISTRATIVE MOTION TO FILE UNDER SEAL PSYSTAR**  
7 **CORPORATION’S RESPONSE IN OPPOSITION TO APPLE INC.’S MOTION TO**  
8 **DISMISS OR ENJOIN PROSECUTION OF THE RECENTLY-FILED FLORIDA ACTION**  
9 **AND TO RE-OPEN DISCOVERY FOR LIMITED PURPOSES**  
10 Case No. CV 08-03251 WHA

11 on the interested parties in this action by placing a true and correct copy thereof, on the above date,  
12 enclosed in a sealed envelope, following the ordinary business practice of Camara & Sibley LLP. I  
13 sent the document(s) to the following:

14 James G. Gilliland, Jr. 15 TOWNSEND AND TOWNSEND AND CREW LLP 16 Two Embarcadero Center, 8 <sup>th</sup> Floor 17 San Francisco, California 94111 18 Telephone: (415) 576-0200 19 Facsimile: (415) 576-0300	20 email: jggilliland@townsend.com
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21  [By First Class Mail] I am readily familiar with my employer's practice for collecting  
22 and processing documents for mailing with the United States Postal Service. On the date listed herein,  
23 following ordinary business practice, I served the within document(s) at my place of business, by  
24 placing a true copy thereof, enclosed in a sealed envelope, with postage thereon fully prepaid, for  
25 collection and mailing with the United States Postal Service where it would be deposited with the  
26 United States Postal Service that same day in the ordinary course of business.

27  [By Overnight Courier] I caused each envelope to be delivered by a commercial carrier  
28 service for overnight delivery to the offices of the addressee(s).

[By Hand] I directed each envelope to the party(ies) so designated on the service list to  
be delivered by courier this date.

[By Facsimile Transmission] I caused said document to be sent by facsimile  
transmission to the fax number indicated for the party(ies) listed above.

[By Electronic Transmission] I caused said document to be sent by electronic  
transmission to the e-mail address indicated for the party(ies) listed above via the court's ECF  
notification system.

24 I declare under penalty of perjury under the laws of the United States of America that the  
25 foregoing is true and correct, and that this declaration was executed on September 18, 2009 at  
26 Houston, Texas.

27 /s/ Michael Wilson  
28 Michael Wilson