

1 TOWNSEND AND TOWNSEND AND CREW LLP
 JAMES G. GILLILAND, JR. (State Bar No. 107988)
 2 MEHRNAZ BOROUMAND SMITH (State Bar No. 197271)
 MEGAN M. CHUNG (State Bar No. 232044)
 3 J. JEB B. OBLAK (State Bar No. 241384)
 Two Embarcadero Center Eighth Floor
 4 San Francisco, CA 94111
 Telephone: (415) 576-0200
 5 Facsimile: (415) 576-0300
 Email: jggilliland@townsend.com
 6 mboroumand@townsend.com
 mmchung@townsend.com
 7 jboblak@townsend.com

8 Attorneys for Plaintiff and Counterdefendant
 APPLE INC.

9
 10 UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

14 APPLE INC.,

15 Plaintiff,

16 v.

17 PSYSTAR CORPORATION, a Florida
 corporation, and DOES 1-10, inclusive,

18 Defendants.

19 AND RELATED COUNTERCLAIMS.
 20
 21
 22

Case No. 08-3251 WHA

**MISCELLANEOUS ADMINISTRATIVE
 REQUEST TO FILE UNDER SEAL
 (1) PORTIONS OF APPLE INC.'S REPLY
 BRIEF IN SUPPORT OF ITS MOTION
 TO DISMISS OR ENJOIN, (2) CERTAIN
 EXHIBITS TO THE REPLY
 DECLARATION OF J. JEB B. OBLAK IN
 SUPPORT THEROF; (3) REPLY
 DECLARATION OF DR. JOHN P. J.
 KELLY AND EXHIBITS THERETO IN
 SUPPORT THEREOF**

23 Plaintiff and Counterdefendant Apple Inc. ("Apple") submits this Administrative Request
 24 pursuant to Civil Local Rules 7-11 and 79-5(c), for permission to file under seal:

- 25 o Portions of Reply Brief In Support Of Apple Inc.'s Motion To Dismiss Or Enjoin
 26 Prosecution Of The Recently-Filed Florida Action And To Re-Open Discovery For
 27 Limited Purposes
- 28 o Exhibits 1-6 to Reply Declaration Of J. Jeb B. Oblak In Support Of Apple Inc.'s
 Motion To Dismiss Or Enjoin Prosecution Of The Recently-Filed Florida Action

MISC. ADMIN. REQ. TO FILE UNDER SEAL (1) PORTIONS OF APPLE INC.'S REPLY BRIEF ISO ITS MOTION TO DISMISS
 OR ENJOIN, (2) CERTAIN EXHIBITS TO THE REPLY DECL. OF J. JEB B. OBLAK IN SUPPORT THEREOF; (3) REPLY DECL.
 OF DR. JOHN P. J. KELLY AND EXHIBITS THERETO IN SUPPORT THEREOF
 CASE NO. 08-3251 WHA

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And To Re-Open Discovery For Limited Purposes

- o Reply Declaration Of Dr. John P. J. Kelly In Support Of Apple Inc.’s Motion To Dismiss Or Enjoin and exhibits thereto

These documents contain highly confidential information of Apple and of Psystar Corporation that has been designated as Confidential or Confidential Attorneys’ Eyes Only under the Stipulated Protective Order approved by the Court on March 2, 2009. The undersigned declares that the request is narrowly tailored to seal only those materials for which good cause to seal has been established. Pursuant to Civil Local Rule 79-5(c), sealed copies of the above-described documents are being lodged with the clerk.

DATED: September 21, 2009

Respectfully submitted,

TOWNSEND AND TOWNSEND AND CREW LLP

By: /s/Mehrnaz Boroumand Smith

MEHRNAZ BOROUMAND SMITH

Attorneys for Plaintiff and Counterdefendant
APPLE INC.

62224077 v1

CERTIFICATE OF SERVICE

I, Diane G. Sunnen, declare I am employed in the City and County of San Francisco, California in the office of a member of the bar of this court at whose direction this service was made. I am over the age of eighteen and not a party to this action. My business address is Townsend and Townsend and Crew LLP, Two Embarcadero Center, Eighth Floor, San Francisco, California, 94111.

I served the following documents exactly entitled: MISCELLANEOUS ADMINISTRATIVE REQUEST TO FILE UNDER SEAL (1) PORTIONS OF APPLE INC.'S REPLY BRIEF IN SUPPORT OF ITS MOTION TO DISMISS OR ENJOIN, (2) CERTAIN EXHIBITS TO THE REPLY DECLARATION OF J. JEB B. OBLAK IN SUPPORT THEROF; (3) REPLY DECLARATION OF DR. JOHN P. J. KELLY AND EXHIBITS THERETO IN SUPPORT THEREOF on the interested parties in this action following the ordinary business practice of Townsend and Townsend and Crew LLP, as follows:

K.A.D. Camara email: camara@camarasibley.com
Camara & Sibley LLP
2339 University Boulevard
Houston, TX 77005
Phone: 713-893-7973
Fax: 713-583-1131

David Vernon Welker email: david.welker@werolaw.com
Welker & Rosario
2230 Skillern Drive
Boise, Idaho 83709
Phone: 949-378-2900
Fax: 717-924-6627

[By First Class Mail] I am readily familiar with my employer's practice for collecting and processing documents for mailing with the United States Postal Service. On the date listed herein, following ordinary business practice, I served the within document(s) at my place of business, by placing a true copy thereof, enclosed in a sealed envelope, with postage thereon fully prepaid, for collection and mailing with the United States Postal Service where it would be deposited with the United States Postal Service that same day in the ordinary course of business.

[By Overnight Courier] I caused each envelope to be delivered by a commercial carrier 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.

[X] [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.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed on September 21, 2009, at San Francisco, California.

/s/Diane G. Sunnen
Diane G. Sunnen