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 APPLE INC.

13  
 14 UNITED STATES DISTRICT COURT  
 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN FRANCISCO DIVISION

18 APPLE INC.,

19 Plaintiff,

20 v.

21 PSYSTAR CORPORATION, a Florida  
 corporation,

22 Defendant.

23  
 24 AND RELATED COUNTERCLAIMS.

Case No. 08-3251 WHA

**~~PROPOSED~~ ORDER GRANTING  
 MISCELLANEOUS ADMINISTRATIVE  
 REQUEST TO FILE UNDER SEAL  
 PORTIONS OF PSYSTAR  
 CORPORATION'S RESPONSE TO  
 APPLE'S MOTION FOR SUMMARY  
 JUDGMENT (DKT. NO. 193)**

1 On October 22, 2009, Psystar Corporation filed miscellaneous administrative request to  
2 file under seal confidential portions of Psystar's response to Apple's motion for summary  
3 judgment. (Dtk. No. 193.) On October 28, 2009, pursuant to Civil Local Rule 79-5(d) and  
4 Stipulated Protective Order, Apple Inc. filed a Declaration of J. Jeb B. Oblak asserting the reasons  
5 for maintaining confidentiality of Apple's confidential information discussed in Psystar's  
6 opposition brief and exhibits. For good cause shown and based on compelling reasons, Apple's  
7 confidential information as provided as attachments to Oblak Declaration on October 28, 2009,  
8 shall be filed under seal and the miscellaneous administrative request is **GRANTED**.

9 **IT IS SO ORDERED.**

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12 DATED: November 13, 2009 \_\_\_\_\_



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CERTIFICATE OF SERVICE

I, Stacie Treposkoufes, 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: [PROPOSED] ORDER GRANTING MISCELLANEOUS ADMINISTRATIVE REQUEST TO FILE UNDER SEAL PORTIONS OF PSYSTAR CORPORATION’S RESPONSE TO APPLE’S MOTION FOR SUMMARY JUDGMENT (DKT. NO. 193) 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  
Kent Radford  
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[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.

[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 October 28, 2009, at San Francisco, California.

/s/Stacie Treposkoufes  
STACIE TREPOSKOUFES