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8 Attorneys for Plaintiff and Counterdefendant
 APPLE INC.

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 10 UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION
 13

14 APPLE INC., a California corporation,
 15 Plaintiff,
 16 v.
 17 PSYSTAR CORPORATION,
 a Florida corporation, and DOES 1-10,
 18 inclusive,
 19 Defendants.

Case No. CV 08-03251 WHA

**MISCELLANEOUS ADMINISTRATIVE
 REQUEST FOR AN ORDER
 PERMITTING THE FILING UNDER
 SEAL OF CONFIDENTIAL PORTIONS
 OF OPPOSITION LETTER BRIEF
 DATED AUGUST 19, 2009**

20 AND RELATED COUNTERCLAIMS
 21

22 Plaintiff and counterdefendant Apple Inc. (“Apple”) submits this Administrative Request
 23 pursuant to Civil Local Rules 7-11 and 79-5(c), for permission to file under seal portions of the
 24 opposition letter brief and entirety of Exhibits 4 and 5. These documents contain highly confidential
 25 testimony regarding financial data and trade secrets that have been designated as Confidential or
 26 Confidential Attorneys’ Eyes Only under the Stipulated Protective Order approved by the Court on
 27 March 2, 2009. The undersigned declares that the request is narrowly tailored to seal only those
 28 materials for which good cause to seal has been established. Pursuant to Civil Local Rule 79-5(c), a

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1 sealed copy of the above-described document is being lodged with the clerk. Pursuant to the Court's
2 standing order a redacted version is being electronically filed for the public file.

3
4 DATED: August 19, 2009

Respectfully submitted,

TOWNSEND AND TOWNSEND AND CREW LLP

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7 By: /s/ Megan M. Chung
Megan M. Chung

8 Attorneys for Plaintiff and Counterdefendant
9 APPLE INC.

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CERTIFICATE OF SERVICE

I, Megan M. Chung, 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 document exactly entitled: **MISCELLANEOUS ADMINISTRATIVE REQUEST FOR AN ORDER PERMITTING THE FILING UNDER SEAL OF CONFIDENTIAL PORTIONS OF OPPOSITION LETTER BRIEF DATED AUGUST 19, 2009**, 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 Camara & Sibley LLP 2339 University Boulevard Houston, TX 77005 Phone: 713-893-7973 Fax: 713-583-1131	email: camara@camarasibley.com
David Vernon Welker Welker & Rosario 2689 Sycamore Lane, Suite A6 Davis, CA 95616-5583 Phone: 949-378-2900 Fax: 717-924-6627	email: david.welker@werolaw.com

[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 August 20, 2009, at San Francisco, California.

/s/
Megan M. Chung