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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION

13
 14 HELIO LLC
 15 Plaintiff,
 16 vs.
 17 PALM, INC.
 18 Defendant.

CASE NO. C 06 7754 SBA

**PALM’S ADMINISTRATIVE MOTION
 PURSUANT TO LOCAL RULE 79-5(B)
 TO FILE UNDER SEAL DOCUMENTS
 DESIGNATED ATTORNEYS-EYES
 ONLY**

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20 Defendant Palm, Inc. submits this administrative motion pursuant to Civil Local rule 79-
 21 5(b) for an order to seal the following documents attached to the Declaration of Doug Colt in
 22 support of Palm’s opposition to plaintiff’s motion for a preliminary injunction:

- 23 1. Exhibit 1 which is a true and correct copy of the transcript of the deposition of Julie
 24 Patterson.
- 25 2. Exhibit 2 which is a true and correct copy of the transcript of the deposition of
 26 Scott Hancock.
- 27 3. Exhibit 3 which is a true and correct copy of the transcript of the deposition of
 28 Michael Zemetra.

1 4. Exhibit 4 which is a true and correct copy of the transcript of the deposition of Jae
2 Lee.

3 5. Exhibit 5 which is a true and correct copy of the transcript of the deposition of
4 Jessica Weeks.

5 6. Exhibit 7 which is a true and correct copy of a document marked E-HEL 1039-
6 1041, an internal Helio email regarding consumer perception of its “Don’t Call it Phone”
7 campaign.

8 7. Exhibit 8 which is a true and correct copy of a document marked E-HEL 1534, an
9 internal Helio email regarding consumer perception of its “Don’t Call it Phone” campaign.

10 8. Exhibit 11 which is a true and correct copy of a document marked E-HEL 414-415,
11 a DJ script for Helio’s “Don’t Call it a Phone” campaign.

12 9. Exhibit 12 which is a true and correct copy of a document marked E-HEL 14405, a
13 script for a Helio radio advertisement.

14 10. Exhibit 13 which is a true and correct copy of a document marked E-HEL 18832, a
15 script for a Helio radio advertisement.

16 11. Exhibit 15 which is a true and correct copy of a document marked E-HEL 9306, an
17 internal Helio email regarding its “Don’t Call it a Phone” campaign.

18 12. Exhibit 16 which is a true and correct copy of a document marked E-HEL 633, a
19 Helio marketing document.

20 13. Exhibit 17 which is a true and correct copy of a document marked E-HEL 114, an
21 internal Helio email regarding page views online.

22 14. Exhibit 18 which is a true and correct copy of E-HEL 1-11, a Helio advertising
23 document.

24 Palm further requests an order to seal the following documents attached to the Declaration
25 of Scott Hancock in support of Palm’s opposition to plaintiff’s motion for a preliminary
26 injunction:

27 15. Exhibit A which is a true and correct copy of mock-ups prepared by AKQA in
28 January 2005 for Palm, bearing the theme line “Not a Cell Phone. A Treo.”

1 Palm additional requests an order to seal the following document attached to the
2 Declaration of Julie Patterson in support of Palm's opposition to plaintiff's motion for a
3 preliminary injunction:

4 16. Exhibit A which is a true and correct copy of an AKQA creative brief.

5 This motion is supported by the accompanying declaration of Doug Colt in Support of
6 Palm's Administrative Motion pursuant to Local Rule 79-5(b) to File Under Seal Documents
7 Designated Attorneys' Eyes Only.

8 The exhibits referenced herein contain material designated as "Attorneys' Eyes Only"
9 pursuant to a pending protective order. Accordingly, pursuant to Local Rule 79-5(b), Palm is
10 concurrently lodging with the Court Exhibits .

11 As set forth in the Colt Declaration, Exhibits 1-5, 7-8, 11-13, and 15-18 of Mr. Colt's
12 declaration, Exhibit A to Mr. Hancock's declaration, and Exhibit A to Ms. Patterson's declaration
13 constitute "sealable" material within the meaning of Civil Local Rule 79-5(b). Palm respectively
14 requests that the Court order these documents filed under seal.

15 DATED: March 20 , 2007

QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

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By /s/ Claude M. Stern
Claude Stern
Attorneys for Defendant Palm, Inc.

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