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8 Attorneys for Defendant
 APPLE INC.

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

14 THE APPLE IPOD iTUNES ANTI-TRUST
 LITIGATION.

Case No. C 05-00037 YGR

[CLASS ACTION]

**DECLARATION OF AMIR Q. AMIRI IN
 SUPPORT OF APPLE INC.'S
 RESPONSE TO PLAINTIFFS'
 ADMINISTRATIVE MOTION TO SEAL**

20 1. I am an associate in the law firm of Jones Day, located at 555 California Street,
 21 26th Floor, San Francisco, CA 94104. I submit this declaration in support of Apple's Response
 22 to Plaintiffs' Administrative Motion to for leave to file under Seal Memorandum of Law in
 23 Opposition to Defendant's Motion for Summary Judgment and to Exclude Expert Testimony of
 24 Roger G. Noll; Plaintiffs' Responsive Separate Statement in support thereof; and Exhibits 1-4, 9-
 25 17, 20-29, 31-46, 48-54, 56, and 58-62 to the Declaration of Bonny E. Sweeney in support thereof
 26 (ECF No. 751). The facts stated in this declaration are true and based upon my own personal
 27 knowledge, and if called to testify to them, I would competently do so.

28 2. The relief requested in Apple's response in support of Plaintiffs' Administrative

1 Motion and the proposed order provided to the Court is necessary and narrowly tailored to protect
2 Apple's confidential business information. Portions of Plaintiffs' Opposition, the Separate
3 Statement, and certain portions of and exhibits to the Sweeney Declaration contain highly
4 confidential and commercially sensitive business information, including confidential details of
5 Apple's FairPlay digital rights management (DRM) technology and updates to that technology;
6 inquiries Apple received from customers that reflect personal information of the customers and
7 confidential and proprietary information regarding how Apple responds to such inquiries; iPod
8 and iTunes Store sales and market research; confidential and sensitive contract terms and
9 communications with record labels and other Apple business partners; decisions by Apple
10 employees regarding Apple's business strategy; and confidential pricing policies and transaction
11 data relating to the sale of Apple products. Apple disclosed this information pursuant to the
12 Protective Order in this case, keeps this information highly confidential, and does not disclose it
13 to the public. As demonstrated in the attached declarations, the disclosure of this information
14 would harm Apple.

15 3. Motions to seal similar information have been granted previously in this case. *See*,
16 *e.g.*, ECF Nos. 184, 247, 291, 336, 340, 353, 422, 527.

17 4. Indeed, many of the exhibits to the Sweeney Declaration were previously
18 submitted under seal, which sealing was granted, in connection with Plaintiffs' Opposition to
19 Apple's Renewed Motion for Summary Judgment. For the Court's convenience, the table below
20 cross-references the exhibit numbers from Plaintiffs' previous filing with the exhibit numbers to
21 the Sweeney Declaration filed in support of Plaintiffs' current opposition brief:

Current Exhibit Number (See ECF No. 750-20)	Previous Exhibit Number (See ECF No. 515)
5	1
6	2
7	3
8	4
9	5 (excerpts)

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Current Exhibit Number <i>(See ECF No. 750-20)</i>	Previous Exhibit Number <i>(See ECF No. 515)</i>
10	7 (excerpts)
11	8 (excerpts)
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5. Additionally, other exhibits are substantially similar to those previously submitted

1 and sealed by the Court. For example, Dr. David Martin's opening and rebuttal report, filed as
2 Exhibits 4 and 33, respectively, to the Sweeney Declaration are substantially similar and concern
3 the same subject matter as what was previously filed as the Declaration of Dr. David Martin in
4 Opposition to Apple's Renewed Motion for Summary Judgment. *See* ECF No. 514. This
5 declaration was sealed by the Court. *See* ECF No. 527. Further the compendium of customer
6 inquiries and Apple's responses thereto, filed as Exhibit 35 to the Sweeney Declaration, are
7 similar in substance to what were previously filed as Exhibits 50-52 in opposition to Apple's
8 Renewed Motion for Summary Judgment. *See* ECF No. 515. These previously-filed exhibits
9 were also sealed by the Court. *See* ECF No. 527. As demonstrated in the attached declarations,
10 the disclosure of this information would harm Apple.

11 6. Further, I have personally reviewed the expert reports and expert and Fed. R. Civ.
12 P. 30(b)(6) depositions that are attached as Exhibits 1-4, 9-11, 14, 22, 33, 48, 50-53, 54 and 62.
13 Portions of each contain highly confidential and commercially sensitive business information,
14 including confidential details of Apple's DRM technology and updates to that technology;
15 inquiries Apple received from customers that reflect personal information of the customers and
16 confidential and proprietary information regarding how Apple responds to such inquiries; iPod
17 and iTunes Store sales and market research; and/or confidential and sensitive contract terms and
18 communications with record labels and other Apple business partners; decisions by Apple
19 employees regarding Apple's business strategy and confidential pricing strategies and transaction
20 data relating to the sale of Apple products, as described in the attached declarations. Apple
21 disclosed this information pursuant to the Protective Order in this case, keeps this information
22 highly confidential, and does not disclose it to the public. As demonstrated in the attached
23 declarations, the disclosure of this information would harm Apple. Accordingly, Apple has
24 provided redactions to the expert reports and deposition excerpts consistent with a narrow sealing
25 order to preserve Apple's confidentiality.

26 7. Attached as **Exhibit 1** is a true and correct copy of the Declaration of Eddy Cue
27 filed January 22, 2010, ECF No. 318.

28 8. Attached as **Exhibit 2** is a true and correct copy of the Declaration of Jeffrey

1 Robbin filed January 22, 2010, ECF No. 328.

2 9. Attached as **Exhibit 3** is a true and correct copy of the Declaration of Eddy Cue
3 filed March 29, 2010, ECF No. 350.

4 10. Attached as **Exhibit 4** is a true and correct copy of the Declaration of Eddy Cue
5 filed December 23, 2010, ECF No. 409.

6 11. Attached as **Exhibit 5** is a true and correct copy of the Declaration of Mark
7 Buckley filed January 13, 2011, ECF No. 454.

8 12. Attached as **Exhibit 6** is a true and correct copy of the Declaration of Mark
9 Buckley filed January 24, 2011, ECF No. 494.

10 Executed this 17th day of January, 2014 in San Francisco, California.

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/s/Amir Q. Amiri
Amir Q. Amiri

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SFI-849330v1

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Exhibit 1

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9 APPLE INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION
13

14 THE APPLE IPOD iTUNES ANTI-TRUST
15 LITIGATION.

Case No. C 05-00037 JW (HRL)
C 06-04457 JW (HRL)

16
17 **DECLARATION OF EDDY CUE IN**
18 **SUPPORT OF DEFENDANT'S**
19 **RESPONSE TO PLAINTIFFS'**
20 **ADMINISTRATIVE MOTION TO SEAL**

21
22 I, Eddy Cue, declare as follows:

23 1. I am Vice President, Internet Services at Apple Inc ("Apple"). I have held this
24 position since August 2008. I have had responsibility for the iTunes Store since 2003. I make
25 this declaration in support of Defendant's Response to Plaintiffs' Administrative Motion to File
26 Under Seal (Doc. 304). The facts stated in this declaration are true and based upon my own
27 personal knowledge, and if called to testify to them, I would competently do so.
28

1 2. Exhibits 23 (Request For Admission Nos. 3-4), 24 and 35 to the Declaration of
2 Paula M. Roach in Support of Plaintiffs' Motion to Compel Further Response from Defendant
3 Apple Inc. ("Roach Declaration") include highly confidential and commercially sensitive
4 business information, including sensitive contract terms and communications between Apple and
5 record labels regarding iTunes Store music sales.

6 3. Apple's practices are that such information is to be kept highly confidential and
7 must not be publicly disclosed. Apple's contracts with record labels are subject to confidentiality
8 provisions and have not been disclosed outside of Apple except to plaintiffs pursuant to the
9 Stipulation and Protective Order Regarding Confidential Information entered June 13, 2007
10 ("Protective Order," Doc. 112). Similarly, Apple's communications with the record labels are
11 kept highly confidential and have not been disclosed outside of Apple except to plaintiffs
12 pursuant to the Protective Order. The information produced to plaintiffs is non-public
13 information from a public company that should remain confidential. Harm to Apple would result
14 from the public disclosure of the redacted highly confidential information contained in these
15 documents.

16 4. Pages 8-9 and 16-19 of Plaintiffs' Motion to Compel (Doc. 306), page 4 of the
17 Roach Declaration, and Exhibits 22 (Interrogatory Nos. 1-5), 24, and 30 to the Roach Declaration
18 contain highly confidential and commercially sensitive business information, including
19 information regarding Apple Inc.'s payment of royalties and/or licensing fees required to
20 manufacture and/or sell its products.

21 5. Exhibits 22 (Interrogatory Nos. 7-8) and 23 (Request For Admission Nos. 1-2, 5-
22 6) to the Roach Declaration include highly confidential and commercially sensitive business
23 information, including information regarding iPod and iTunes sales in the United States, iPod
24 manufacturing costs, and reseller pricing and advertising programs.

25 6. Apple's practices are that the information described in paragraphs 4 and 5 above is
26 to be kept highly confidential and must not be publicly disclosed. The information has not been
27 disclosed outside of Apple except to plaintiffs pursuant to the Protective Order. The information
28 produced to plaintiffs is non-public information from a public company that should remain

1 confidential. Harm to Apple would result from the public disclosure of the redacted information
2 contained in these documents. The public disclosure of iPod or iTunes sales figures, iPod
3 manufacturing costs, features of Apple's reseller pricing and advertising programs, or information
4 regarding Apple's payment of royalties and/or licensing fees would put Apple at a significant
5 business disadvantage.

6 7. Exhibit 22 (Interrogatory No. 6) to the Roach Declaration includes highly
7 confidential and commercially sensitive research, including methodology and possible
8 limitations. Apple's practices are that such information is to be kept highly confidential and must
9 not be publicly disclosed. The information has not been disclosed outside of Apple except to
10 plaintiffs pursuant to the Protective Order. The information produced to plaintiffs is non-public
11 information from a public company that should remain confidential. Harm to Apple would result
12 from the public disclosure of the redacted information contained in this document.

13 8. Page 2 of the Roach Declaration and Exhibits 11, 30, and 35 attached thereto
14 contain highly confidential and commercially sensitive business information, including
15 descriptions of software updates. Apple's practices are that such information is to be kept highly
16 confidential and must not be publicly disclosed. This information has not been disclosed outside
17 of Apple except to plaintiffs pursuant to the Protective Order. The information produced to
18 plaintiffs is non-public information from a public company that should remain confidential.
19 Harm to Apple would result from the disclosure of the highly confidential information regarding
20 software updates to the public.

21 I declare under penalty of perjury under the laws of the United States and the State of
22 California that the foregoing is true and correct.

23 Executed this 22 day of January, 2010 in New York, New York.

24 /s/ Eddy Cue

25 Eddy Cue

26 I, as filer, attest that Eddy Cue has concurred in the filing of this document pursuant to
27 General Order No. 45.

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SPI-628146v5

/s/ David Kiernan
David Kiernan

Exhibit 2

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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION
13

14 THE APPLE IPOD iTUNES ANTI-TRUST
LITIGATION.

Case No. C 05-00037 JW (HRL)
C 06-04457 JW (HRL)

15
16 **DECLARATION OF JEFFREY
17 ROBBIN IN SUPPORT OF APPLE'S
18 ADMINISTRATIVE MOTION TO
19 SEAL**

20 I, Jeffrey Robbin, declare as follows:

21 1. I am the Vice President of iTunes and Apple TV Engineering at Apple. I make
22 this declaration in support of Apple's Administrative Motion To File Under Seal. The facts stated
23 in this declaration are true and based upon my own personal knowledge and, if called to testify to
24 them, I would competently do so.

25 2. Apple's Motion to Dismiss or, Alternatively, Motion for Summary Judgment, and
26 the Declaration of Jeffrey Robbin in support thereof, contain highly confidential and
27 commercially sensitive business information, including confidential details of Apple's FairPlay
28 digital rights management (DRM) technology and updates to that technology, confidential

Decl. ISO Apple's Administrative Motion to Seal
C 05 00037 JW (HRL), C 06-04457 JW (HRL)

1 contract terms, and confidential communications between Apple and record labels regarding the
2 distribution of music through the iTunes Store and Apple's FairPlay DRM technology. Apple
3 keeps this information highly confidential and does not publicly disclose it.

4 3. Apple's FairPlay technology is a highly protected trade secret, and Apple uses
5 physical and electronic controls to protect it. The efficacy of FairPlay is dependent on the
6 confidentiality of information regarding its operation and maintenance. Only a few Apple
7 employees have access to and work on FairPlay, and they work in restricted areas. Information
8 regarding FairPlay is non-public, proprietary information from a public company that should
9 remain confidential. Harm to Apple would result from the public disclosure of the information.

10 4. Apple's contracts with record labels, which include information regarding the
11 manner in which FairPlay protects music sold through the iTunes Store, are subject to
12 confidentiality provisions and have not been disclosed outside of Apple except to plaintiffs
13 pursuant to the Stipulation and Protective Order Regarding Confidential Information entered June
14 13, 2007 ("Protective Order," Doc. 112). Similarly, Apple's communications with the record
15 labels regarding FairPlay's operation and the distribution of music through Apple's iTunes Store
16 are kept highly confidential and have not been disclosed outside of Apple except to plaintiffs
17 pursuant to the Protective Order. This information is non-public information from a public
18 company that should remain confidential. Harm to Apple would result from the public disclosure
19 of this highly confidential information. For example, the disclosure of confidential contract terms
20 and communications regarding those terms would adversely impact Apple's bargaining position
21 in future dealings with current and potential business partners.

22 I declare under penalty of perjury under the laws of the United States and the State of
23 California that the foregoing is true and correct.

24 Executed this 11 day of February, 2010 in Cupertino, California.

25 
26 _____
27 Jeffrey Robbin
28

SFI-629192-4

Exhibit 3

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APPLE INC.
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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION
13

14 THE APPLE IPOD ITUNES ANTI-TRUST
15 LITIGATION.

Case No. C 05-00037 JW (HRL)
C 06-04457 JW (HRL)

16
17 **DECLARATION OF EDDY CUE IN**
18 **SUPPORT OF DEFENDANT'S**
19 **RESPONSE TO PLAINTIFFS'**
20 **ADMINISTRATIVE MOTION TO SEAL**

21
22 I, Eddy Cue, declare as follows:

23 1. I am Vice President, Internet Services at Apple Inc ("Apple"). I have held this
24 position since August 2008. I have had responsibility for the iTunes Store since 2003. I make
25 this declaration in support of Defendant's Response to Plaintiffs' Administrative Motion to File
26 Under Seal (Doc. 343). The facts stated in this declaration are true and based upon my own
27 personal knowledge, and if called to testify to them, I would competently do so.
28

1 2. **Plaintiffs' Memorandum In Opposition To Apple's Motion To Dismiss Or,**
2 **Alternatively, For Summary Judgment, and the Roach and Merrick Declarations in support**
3 **thereof, include highly confidential and commercially sensitive business information, including**
4 **sensitive terms of Apple's agreements with the record labels and Hewlett-Packard ("HP") and**
5 **information regarding the operation of Apple's FairPlay technology.**

6 3. **Apple's agreements with record labels and HP (exhibits 2, 3, and 7 to the Merrick**
7 **declaration) are subject to confidentiality provisions and have not been disclosed outside of Apple**
8 **except to plaintiffs pursuant to the Stipulation and Protective Order Regarding Confidential**
9 **Information entered June 13, 2007 ("Protective Order," Doc. 112). This information is non-**
10 **public information from a public company that should remain confidential. Harm to Apple would**
11 **result from the public disclosure of this highly confidential information. For example, the**
12 **disclosure of confidential contract terms and communications regarding those terms would**
13 **adversely impact Apple's bargaining position in future dealings with current and potential**
14 **business partners.**

15 4. **Exhibits 2 and 3 also contain information regarding Apple's FairPlay technology.**
16 **Apple's practices are that such information is to be kept highly confidential and must not be**
17 **publicly disclosed. Apple's FairPlay technology is a highly protected trade secret, and Apple uses**
18 **physical and electronic controls to protect it. The efficacy of FairPlay is dependent on the**
19 **confidentiality of information regarding its operation and maintenance. Information regarding**
20 **FairPlay is non-public, proprietary information from a public company that should remain**
21 **confidential. Harm to Apple, including potential use of the information by hackers attempting to**
22 **circumvent FairPlay, would result from the public disclosure of the information.**

23 5. **Exhibits 4 and 5 are internal Apple e-mails containing highly confidential and**
24 **commercially sensitive business information, including discussions regarding potential public**
25 **comments regarding RealNetworks' Harmony technology and updates to FairPlay to stop a hack.**
26 **This information is non-public information that has been kept highly confidential and has not**
27 **been disclosed outside of Apple except to plaintiffs pursuant to the Protective Order. Harm to**
28 **Apple would result from the public disclosure of this information.**

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6. Exhibit 9 is an internal Apple email regarding updates to iTunes and FairPlay, which is kept highly confidential and has not been disclosed outside of Apple except to plaintiffs pursuant to the Protective Order. As discussed above, disclosure of the details of FairPlay would cause harm to Apple.

Executed this 29 day of March, 2010 in Cupertino, California.

Eddy Cue
Eddy Cue

I, as filer, attest that Eddy Cue has concurred in the filing of this document pursuant to General Order No. 45.

/s/ David Kiernan
David Kiernan

SFI-637130v1

Exhibit 4

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8 Attorneys for Defendant
 APPLE INC.
 9

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION
 13

14 THE APPLE IPOD iTUNES ANTI-TRUST
 15 LITIGATION.

Case No. C 05-00037 JW (HRL)
 [CLASS ACTION]

**DECLARATION OF EDDY CUE IN
 SUPPORT OF DEFENDANT'S
 RESPONSE TO PLAINTIFFS'
 AMENDED ADMINISTRATIVE
 MOTION TO FILE UNDER SEAL**

Judge: Honorable Howard R. Lloyd
 Date: January 18, 2011
 Time: 10:00 a.m.
 Place: Courtroom 2-5th Floor

25 I, Eddy Cue, declare as follows:

- 26 1. I am Vice President, Internet Services at Apple Inc. ("Apple"). I have held this
 27 position since August 2008. I have had responsibility for the iTunes Store since 2003.
 28 2. I submit this declaration in support of Defendant's Response to Plaintiffs'

1 Amended Administrative Motion to File Under Seal Portions of Plaintiffs' Opposition to Apple
2 Inc.'s Motion for Protective Order Preventing Deposition of Steve Jobs, Portions of the Bernay
3 Declaration and Exhibits 1-4 and 6-11 Pursuant to Local Rule 79-5(b) and (c) ("Administrative
4 Motion"). The facts stated in this declaration are true and based upon my own personal
5 knowledge, and if called to testify to them, I would competently do so.

6 3. The relief requested in the Administrative Motion is necessary and narrowly
7 tailored to protect Apple's highly confidential and commercially sensitive business information.
8 The redacted portions of the Plaintiffs' Opposition (Dkt. 404) and the Bernay Declaration (Dkt.
9 405) contain highly confidential and sensitive information that must be kept confidential in order
10 to avoid causing substantial harm to Apple. The redactions specifically relate to (1) sensitive
11 contract terms and communications with record labels; (2) updates to Apple's FairPlay digital
12 rights management technology; and (3) business decisions and strategy at Apple.

13 4. Pages 4 and 10-11 of Plaintiffs' Opposition (Dkt. 404) and Exhibits 1 and 6-7 to
14 the Bernay Declaration (Dkt. 405) contain highly confidential and commercially sensitive
15 business information, including information regarding sensitive contract terms and
16 communications with record labels.

17 5. Apple's practices are that such information is to be kept highly confidential and
18 must not be publicly disclosed. Apple's contracts with record labels are subject to confidentiality
19 provisions and were produced to plaintiffs pursuant to the Stipulation and Protective Order
20 Regarding Confidential Information entered June 13, 2007 ("Protective Order," Dkt. 112).
21 Similarly, Apple's communications with the record labels contain highly confidential,
22 commercially sensitive business information and were produced plaintiffs pursuant to the
23 Protective Order. The public disclosure of this highly confidential information would cause
24 substantial harm to Apple.

25 6. Pages 4-8 of Plaintiffs' Opposition (Dkt. 404) and Page 1 and Exhibits 2, 4, 5, 6, 7,
26 8, 9, 10, and 11 to the Bernay Declaration (Dkt. 405) contain highly confidential and
27 commercially sensitive business information, including information regarding updates to Apple's
28 FairPlay DRM technology.

Exhibit 5

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8 Attorneys for Defendant
APPLE INC.
9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION
13

14 THE APPLE IPOD iTUNES ANTI-TRUST
LITIGATION.
15

Case No. C 05-00037 JW (HRL)

[CLASS ACTION]

16 **DECLARATION OF MARK BUCKLEY**
17 **IN SUPPORT OF APPLE INC.'S**
18 **RESPONSE TO PLAINTIFFS'**
19 **ADMINISTRATIVE MOTION TO FILE**
20 **UNDER SEAL**

21 I, Mark Buckley, declare as follows:

22 1. I am a Financial Analyst at Apple Inc. ("Apple"). I have held this position since
23 August 15, 2005. I submit this declaration in support of Apple's Response to Plaintiffs'
24 Administrative Motion to File Under Seal (Dkt. 434, "Administrative Motion"). The facts stated
25 in this declaration are true and based upon my own personal knowledge, and if called to testify to
26 them, I would competently do so.

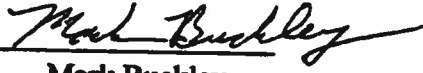
27 2. The relief requested in the Administrative Motion is necessary and narrowly
28 tailored to protect Apple's confidential business information. The redacted portions of pages 5

1 and 6 of Plaintiffs' Motion Regarding Schedule for Class Certification and Depositions (Dkt.
2 432) and page 2 of the Bernay Declaration in support thereof (Dkt. 433) contain confidential
3 descriptions of data regarding Apple's transactions with iPod resellers that must be kept
4 confidential in order to avoid causing substantial harm to Apple.

5 3. Apple's practices are that such information is to be kept highly confidential and
6 must not be publicly disclosed. Data regarding Apple's transactions with iPod resellers was
7 produced to plaintiffs pursuant to the Stipulation and Protective Order Regarding Confidential
8 Information entered June 13, 2007 ("Protective Order," Dkt. 112). The public disclosure of this
9 highly confidential information would cause substantial harm to Apple.

10 I declare under penalty of perjury under the laws of the United States and the State of
11 California that the foregoing is true and correct.

12 Executed this 13 day of January, 2011 in Cupertino, California.

13 
14 Mark Buckley

15 SFI-638673v1

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Exhibit 6

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8 Attorneys for Defendant
APPLE INC.
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10 UNITED STATES DISTRICT COURT
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14 THE APPLE IPOD iTUNES ANTI-TRUST
15 LITIGATION.

Case No. C 05-00037 JW (HRL)

[CLASS ACTION]

16 **DECLARATION OF MARK BUCKLEY**
17 **IN SUPPORT OF APPLE INC.'S**
18 **RESPONSE TO PLAINTIFFS'**
19 **ADMINISTRATIVE MOTION TO FILE**
20 **UNDER SEAL**

21 I, Mark Buckley, declare as follows:

22 1. I am a Financial Analyst at Apple Inc. ("Apple"). I have held this position since
23 August 15, 2005. I submit this declaration in support of Apple's Response to Plaintiffs'
24 Administrative Motion to File Under Seal (Dkt. 475, "Administrative Motion"). The facts stated
25 in this declaration are true and based upon my own personal knowledge, and if called to testify to
26 them, I would competently do so.


27 2. The relief requested in the Administrative Motion is necessary and narrowly
28 tailored to protect Apple's confidential business information. Plaintiffs' Motion for Class

1 Certification (Dkt. 477) and the Sweeney (Dkt. 478) and Noll (Dkt. 479) declarations in support
2 thereof contain highly confidential information regarding iPod and iTunes Store pricing,
3 including pricing strategy and information considered by Apple when setting iPod and iTunes
4 Store prices; information regarding costs of manufacturing and selling iPods and costs associated
5 with the sale of music through the iTunes Store; and information regarding Apple's margins on
6 iPod and iTunes Store sales.

7 3. Apple's practices are that such information is kept highly confidential and is not
8 disclosed to the public. This information was produced to plaintiffs pursuant to the Stipulation
9 and Protective Order Regarding Confidential Information entered June 13, 2007 ("Protective
10 Order," Dkt. 112). The public disclosure of information regarding Apple's pricing decisions and
11 iPod and iTunes Store costs would put Apple at a business disadvantage.

12 I declare under penalty of perjury under the laws of the United States and the State of
13 California that the foregoing is true and correct.

14 Executed this 25 day of January, 2011 in Cupertino, California.

15 
16 Mark Buckley
17 Mark Buckley

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