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 APPLE INC.

13  
 14 UNITED STATES DISTRICT COURT  
 15 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN FRANCISCO DIVISION  
 17

18 APPLE INC., a California corporation,  
 19 Plaintiff,  
 20 v.  
 21 PSYSTAR CORPORATION,  
 a Florida corporation,  
 22 Defendant.  
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Case No. CV 08-03251 WHA

**DECLARATION OF J. JEB B. OBLAK  
 IN SUPPORT OF MISCELLANEOUS  
 ADMINISTRATIVE REQUEST FOR AN  
 ORDER PERMITTING THE FILING  
 UNDER SEAL**

24 AND RELATED COUNTERCLAIMS

25 I, J. Jeb B. Oblak, declare as follows:

26 1. I am an attorney licensed to practice law in the State of California and am admitted to  
 27 practice before this Court. I am an associate in the law firm of Townsend and Townsend and  
 28

1 Crew LLP, and am one of the attorneys representing plaintiff and counterdefendant Apple Inc.  
2 (“Apple”) in the above captioned matter. I make this declaration on personal knowledge and if called  
3 as a witness could and would competently testify with respect to the matters stated herein.

4 2. On March 2, 2009, the Court entered a Stipulated Protective Order in this case.

5 3. Pursuant to the Stipulated Protective Order entered in this case and Civil Local Rule  
6 79-5(c), portions of Apple Inc.’s Motion For Summary Judgment, portions of the Lynde Declaration  
7 In Support Thereof, the Kelly Declaration In Support Thereof, and Exhibits 3-16, 23, 41, 62-64 and 69  
8 to Chung Declaration In Support Thereof are sealable because they contain confidential trade secrets  
9 and technical information of both parties which have been designated “CONFIDENTIAL” and  
10 “CONFIDENTIAL—ATTORNEYS’ EYES ONLY” and which if made public, might harm the  
11 competitive standing of the designating party. Since the confidential information has been disclosed  
12 in this case under the terms of the Stipulated Protective Order, the confidential information and  
13 documents have not been disclosed to the public and maintained in such manner to ensure that they  
14 are not disclosed to the public.

15 4. Apple will lodge with the Clerk a sealed copy of these documents pursuant to Civil  
16 L.R. 79-5(c).

17 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
18 and correct to the best of my knowledge and belief.

19 Executed on October 8, 2009, at San Francisco, California.

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21  
22 /s/J. Jeb B. Oblak

J. JEB B. OBLAK

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24 62247276 v1  
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CERTIFICATE OF SERVICE

I, **Esther Casillas**, 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: **DECLARATION OF J. JEB B. OBLAK IN SUPPORT OF MISCELLANEOUS ADMINISTRATIVE REQUEST FOR AN ORDER PERMITTING THE FILING UNDER SEAL** 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 Camara & Sibley LLP 2339 University Boulevard Houston, TX 77005 Phone: 713-893-7973 Fax: 713-583-1131 Email: <a href="mailto:camara@camarasibley.com">camara@camarasibley.com</a>	Eugene Action 1780 E. Barstow Avenue, #5 Fresno, CA 93710 Email: <a href="mailto:eugeneaction@hotmail.com">eugeneaction@hotmail.com</a>
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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 8, 2009, at San Francisco, California.

/s/Esther Casillas  
**Esther Casillas**