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 18 ELAN MICROELECTRONICS CORPORATION

19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA
 21 SAN JOSE DIVISION

22 ELAN MICROELECTRONICS CORPORATION,
 23
 24 Plaintiff and Counterdefendant,
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 26 v.
 27 APPLE, INC.,
 28 Defendant and Counterclaimant.

Case No. 09-cv-01531 RS

DECLARATION OF SEAN P. DEBRUINE PURSUANT TO L. R. 79-5 IN SUPPORT OF APPLE INC.’S MOTION FOR ADMINISTRATIVE RELIEF TO FILE (1) APPLE’S REPLY IN SUPPORT OF ITS MOTION TO DISMISS ELAN MICROELECTRONICS CORP.’S INEQUITABLE CONDUCT DEFENSE AND COUNTERCLAIM; AND (2) DECLARATION OF SONAL N. MEHTA IN SUPPORT OF APPLE INC.’S REPLY AND EXHIBITS THERETO UNDER SEAL

AND RELATED COUNTERCLAIMS

I, Sean P. DeBruine, declare as follows:

1. I am a partner in the law firm of Alston & Bird LLP, counsel to Plaintiff Elan Corporation (“Elan”). I have personal knowledge of the following facts, except those facts stated

