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 ELAN MICROELECTRONICS
 11 CORPORATION

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

17 ELAN MICROELECTRONICS
 18 CORPORATION,
 19 Plaintiff and Counterdefendant,
 20 v.
 21 APPLE, INC.,
 22 Defendant and Counterplaintiff.

Case No. 5:09-cv-01531 RS (PSG)
**PLAINTIFF ELAN
 MICROELECTRONICS
 CORPORATION'S ADMINISTRATIVE
 MOTION TO FILE UNDER SEAL
 PORTIONS OR THE ENTIRETY OF
 PAPERS IN SUPPORT OF ITS MOTION
 TO COMPEL APPLE, INC. TO
 PRODUCE TESTING TOOL**

23
 24 AND RELATED COUNTERCLAIMS
 25
 26
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ELAN'S ADMIN. MOT. TO FILE UNDER SEAL PORTIONS OR
 THE ENTIRETY OF PAPERS ISO OF ITS MOT TO COMPEL
 APPLE, INC. TO PRODUCE TESTING TOOL

1 Pursuant to Civil Local Rules 7-11 and 79-5, Plaintiff Elan Microelectronics Corporation
2 (“Elan”) hereby requests leave of Court to file under seal portions or the entirety of the following
3 documents which have been lodged with the Clerk:

- 4 1. Elan’s Motion to Compel Apple, Inc. to Produce Testing Tool (**partially redacted**);
- 5 2. Declaration of Palani P. Rathinasamy in Support of Elan’s Motion to Compel Apple,
6 Inc. to Produce Testing Tool (**partially redacted**);
- 7 3. Declaration of Sean P. DeBruine in Support of Elan’s Motion to Compel Apple, Inc.
8 to Produce Testing Tool (**partially redacted**);
- 9 4. Exhibit C to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion to
10 Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);
- 11 5. Exhibit D to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion
12 to Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);
- 13 6. Exhibit E to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion to
14 Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);
- 15 7. Exhibit F to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion to
16 Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);
- 17 8. Exhibit G to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion
18 to Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);
- 19 9. Exhibit H to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion
20 to Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);
- 21 10. Exhibit I to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion to
22 Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);
- 23 11. Exhibit J to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion to
24 Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);
- 25 12. Exhibit K to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion
26 to Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);
- 27 13. Exhibit L to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion to
28 Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);

1 14. Exhibit M to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion
2 to Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);

3 15. Exhibit N to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion
4 to Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);

5 16. Exhibit O to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion
6 to Compel Apple, Inc. to Produce Testing Tool (**filed under seal**);

7 17. Exhibit P to the Declaration of Palani P. Rathinasamy in Support of Elan’s Motion to
8 Compel Apple, Inc. to Produce Testing Tool (**filed under seal**).

9 As grounds for this motion, Elan states that portions of Elan’s Motion to Compel, the
10 Rathinasamy Declaration, and the DeBruine Declaration constitute, disclose information contained
11 in, or derived from, documents designated by Apple, Inc. (“Apple”) as “Confidential – Attorney
12 Eyes Only” pursuant to the Amended Protective Order in this matter. *See* Declaration of Palani P.
13 Rathinasamy In Support of Plaintiff Elan Microelectronics Corporation’s Administrative Motion
14 To File Papers Under Seal filed concurrently herewith. In accordance with Civil Local Rule 79-5,
15 for these partially redacted documents, only the minimum and necessary redactions have been
16 made to protect sealable information. In addition, Elan states that Exhibits C-P to the
17 Rathinasamy Declaration constitute, disclose information contained in, or derived from,
18 documents designated by Apple as “Confidential – Attorney Eyes Only” pursuant to the Amended
19 Protective Order in this matter. These exhibits predominately consist of sealable information such
20 that it may be appropriate to seal the entire document rather than requiring submission of a heavily
21 redacted document that would not substantially further the policy of providing public access to,
22 and understanding of, court proceedings. *See id.*

23 For the reasons stated above, the Court should grant Elan leave to file the above identified
24 documents either partially or entirely under seal.

