

1 MATTHEW D. POWERS (Bar No. 104795)
 matthew.powers@weil.com
 2 JARED BOBROW (Bar No. 133712)
 jared.bobrow@weil.com
 3 SONAL N. MEHTA (Bar No. 222086)
 sonal.mehta@weil.com
 4 DEREK C. WALTER (Bar. No. 246322)
 derek.walter@weil.com
 5 NATHAN GREENBLATT (Bar No. 262279)
 nathan.greenblatt@weil.com
 6 WEIL, GOTSHAL & MANGES LLP
 Silicon Valley Office
 7 201 Redwood Shores Parkway
 Redwood Shores, CA 94065
 8 Telephone: (650) 802-3000
 Facsimile: (650) 802-3100
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10 Attorneys for Defendant and Counterclaim Plaintiff
 Apple Inc.

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

14 ELAN MICROELECTRONICS
 CORPORATION,
 15
 16 Plaintiff and Counterclaim
 Defendant,
 17 v.
 18 APPLE INC.,
 19 Defendant and Counterclaim
 20 Plaintiff.
 21

Case No. C-09-01531 RS (PSG)

**APPLE INC.'S ADMINISTRATIVE
 MOTION TO FILE UNDER SEAL
 APPLE INC.'S OPPOSITION TO
 ELAN MICROELECTRONICS
 CORP.'S MOTION TO COMPEL
 APPLE INC. TO PRODUCE TESTING
 TOOL**

JUDGE: Hon. Paul Singh Grewal

1 Apple Inc. submits this Administrative Motion for a sealing order pursuant to Civil
2 Local Rule 79-5. This motion is based on the points and authorities herein, and on the
3 accompanying Declaration of Nathan Greenblatt in Support of Apple Inc.’s Administrative
4 Motion to File Under Seal Apple Inc.’s Opposition to Elan Microelectronics Corp.’s Motion to
5 Compel Apple Inc. to Produce Testing Tool (“Greenblatt Decl.”). Apple respectfully requests
6 that the Court issue an order permitting the following documents, or portions thereof, to be filed
7 under seal:

8 1. Apple Inc.’s Opposition to Elan Microelectronics Corp.’s Motion to Compel
9 Apple Inc. to Produce Testing Tool (“Apple’s Opposition”) (a partially redacted public version is
10 being lodged with the Court).

11 2. The Declaration of Adrian Percer in Support of Apple Inc.’s Opposition to Elan
12 Microelectronics Corp.’s Motion to Compel Apple Inc. to Produce Testing Tool (a partially
13 redacted public version is being lodged with the Court).

14 3. The Declaration of Wayne Westerman in Support of Apple Inc.’s Opposition to
15 Elan Microelectronics Corp.’s Motion to Compel Apple Inc. to Produce Testing Tool
16 (“Westerman Declaration”).

17 4. Exhibits 3-13 to the Declaration of Derek Walter in Support of Apple Inc.’s
18 Opposition to Elan Microelectronics Corp.’s Motion to Compel Apple Inc. to Produce Testing
19 Tool (a partially redacted public version of Exhibit 5 is being lodged with the Court).

20 The partially redacted versions of items 1, 2, and 4 contain the minimal redactions
21 necessary to protect highly confidential technical information regarding the operation of the
22 accused Apple products, as well as internal codenames for the products. *See* Greenblatt Decl. ¶¶
23 2-3, 8; *see also* Civil L.R. 79-5 (Commentary). Moreover, Exhibits 3-4 and 6-12 to the Walter
24 Declaration consist predominantly of sealable information, and submission of heavily redacted
25 versions of these exhibits would not substantially further the policy of providing public access to,
26 and understanding of, court proceedings. *See* Order Denying Motion to Seal, Without Prejudice
27 (Dkt. No. 204) at 1-2. Each of the documents listed above has been given particularized
28 consideration, with attention to the Court’s policy of providing public access to the court

1 proceedings. *See generally* Greenblatt Decl. Therefore, Apple respectfully requests that the
2 Court grant this motion.

3 Dated: June 3, 2011

WEIL, GOTSHAL & MANGES LLP

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By: /s/ Nathan Greenblatt
Nathan Greenblatt
Attorneys for Defendant and
Counterclaim Plaintiff Apple Inc.

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