

YITAI HU (SBN 248085)
yitai.hu@alston.com
SEAN P. DEBRUINE (SBN 168071)
sean.debrune@alston.com
ELIZABETH H. RADER (SBN 184963)
elizabeth.rader@alston.com
JANE HAN BU (SBN 240081)
jane.bu@alston.com
JENNIFER LIU (SBN 268990)
celine.liu@alston.com
PALANI P. RATHINASAMY (SBN 269852)
palani.rathinasamy@alston.com
ALSTON & BIRD LLP
275 Middlefield Road, Suite 150
Menlo Park, CA 94025-4008
Telephone: 650-838-2000
Facsimile: 650-838-2001

Attorneys for Plaintiff and Counterdefendant
ELAN MICROELECTRONICS
CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ELAN MICROELECTRONICS
CORPORATION,

Plaintiff and Counterdefendant,

v.

APPLE, INC.,

Defendant and Counterplaintiff.

AND RELATED COUNTERCLAIMS

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

**DECLARATION OF PALANI P.
RATHINASAMY IN SUPPORT OF
PLAINTIFF ELAN
MICROELECTRONICS
CORPORATION'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL**

1 I, Palani P. Rathinasamy, declare as follows:

2 1. I am an attorney with the law firm of Alston & Bird LLP, counsel to Plaintiff Elan
3 Microelectronics Corporation (“Elan”) in this action. I have personal knowledge of the following
4 facts and, if called to testify, I could and would testify competently to the matters stated herein.

5 2. The Supplemental Declaration of Robert Dezmelyk in Support of Elan’s Reply is
6 partially redacted. The redacted portions disclose information derived from documents that Apple
7 has marked as “Confidential – Attorney Eyes Only” or “Confidential – Attorneys’ Eyes Only –
8 Source Code” pursuant to the Amended Protective Order in this matter. In accordance with Civil
9 Local Rule 79-5, only minimum and necessary redactions regarding Apple’s confidential
10 information are made to protect sealable information.

11 3. In accordance with Civil Local Rule 79-5, Elan seeks to file under seal Exhibit A to
12 the Rathinasamy Declaration. Exhibit A to the Rathinasamy Declaration is a document that Apple
13 has marked as “Confidential – Attorney Eyes’ Only” pursuant to the Amended Protective Order in
14 this matter. This document contains an internal Apple e-mail communication between Apple
15 employees dated April 23, 2004 with the production number APEL0707392. This exhibit
16 predominately consists of sealable information such that it may be appropriate to seal the entire
17 document rather than requiring submission of a heavily redacted document that would not
18 substantially further the policy of providing public access to, and understanding of, court
19 proceedings.

20 Executed this 5th day of July, 2011 at Menlo Park, California.

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24 /s/ Palani P. Rathinasamy/
Palani P. Rathinasamy