

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., a
Korean corporation; SAMSUNG
ELECTRONICS AMERICA, INC., a New
York corporation; and SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,

Defendants.

Case No. 11-cv-01846-LHK

**[PROPOSED] ORDER GRANTING
SAMSUNG'S ADMINISTRATIVE
MOTION TO FILE DOCUMENTS
UNDER SEAL RE SAMSUNG'S
OPPOSITION TO APPLE'S MOTION
FOR ENTRY OF PRELIMINARY
INJUNCTION**

1 Defendants Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., and
2 Samsung Telecommunications America, LLC (collectively, “Samsung”) filed Samsung’s
3 Administrative Motion to File Documents Under Seal on May 25, 2012 (Dkt. No. 977) relating to
4 Samsung’s Opposition to Apple’s Motion Pursuant to Rule 62(c) for Entry of Preliminary
5 Injunction Without Further Hearing and supporting documents. Pursuant to Civil L.R. 79-5(d),
6 Samsung moved to seal certain exhibits designated as “HIGHLY CONFIDENTIAL
7 ATTORNEYS’ EYES ONLY” under the protective order in this case. Pursuant to Civil L.R. 79-
8 5(d), for the purpose of establishing that the designated information is sealable, Apple filed the
9 Declaration of Cyndi Wheeler in Support of Samsung’s Motion to File Under Seal (“Wheeler
10 Declaration”). The Wheeler Declaration provides sufficient evidence that the documents and
11 information designated as confidential by Apple, and filed under seal by Samsung, are “privileged
12 or protectable as a trade secret or otherwise entitled to protection under the law,” and thus
13 sealable. Civil L.R. 79-5(a).

14 Accordingly, IT IS HEREBY ORDERED that the following documents shall be filed
15 under seal:

- 16 • Exhibits 1 and 2 to the Declaration of Carl Anderson in Support of Samsung’s Opposition
17 to Apple’s Motion Pursuant to Rule 62(c) for Entry of Preliminary Injunction Without
18 Further Hearing; and
- 19 • The confidential, unredacted version of Samsung’s Opposition to Apple’s Motion
20 Pursuant to Rule 62(c) for Entry of Preliminary Injunction Without Further Hearing.
21

22
23 **IT IS SO ORDERED.**
24

25 Dated: _____

26 Hon. Lucy H. Koh
27 United States District Court Judge
28