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 11 Attorneys for Plaintiff and
 Counterclaim-Defendant APPLE INC.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

15 APPLE INC., a California corporation,
 16
 17 Plaintiff,
 18 v.
 19 SAMSUNG ELECTRONICS CO., LTD., a
 Korean corporation; SAMSUNG
 20 ELECTRONICS AMERICA, INC., a New
 York corporation; and SAMSUNG
 21 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,
 22 Defendants.

Case No. 11-cv-01846-LHK (PSG)

**ADMINISTRATIVE MOTION TO
 FILE DOCUMENTS UNDER SEAL
 RE APPLE'S OPPOSITION TO
 SAMSUNG'S MOTION FOR LEAVE
 TO FILE MOTION FOR
 RECONSIDERATION**

1 In accordance with Civil Local Rules 7-11 and 79-5, and General Order No. 62, Apple Inc.
2 (“Apple”) submits this motion for an order to seal the following documents or portions thereof:

- 3 1. The confidential, unredacted version of Apple’s Opposition to Samsung’s Motion for
4 Leave to File Motion for Reconsideration (“Opposition”); and
- 5 2. The confidential, unredacted version of Exhibit A to the Declaration of Grant Kim in
6 Support of Apple’s Opposition to Samsung’s Motion for Leave to File Motion for
7 Reconsideration (“Kim Declaration”), which has been designated as confidential as
8 set forth below.

9 Portions of the Opposition and Exhibit A to the Kim Declaration contain information that
10 is highly confidential as set out in the Declaration of Cyndi Wheeler filed as Docket No. 1031
11 (“Wheeler Declaration”). The Apple-confidential material in these documents relates to such
12 highly confidential business information, as detailed in the Wheeler Declaration. (*Id.* ¶¶ 3, 5.) It
13 is Apple’s policy not to disclose or describe to third parties its confidential information like the
14 information contained in the documents described above. (Wheeler Declaration ¶¶ 3, 5, 10.)
15 This information is highly confidential to Apple. (*Id.*) The information described above could be
16 used by Apple’s competitors to Apple’s disadvantage if disclosed publicly. (*Id.*) The relief
17 requested in this motion is necessary and is narrowly tailored to protect confidential information,
18 focusing only on specific portions of the documents at issue.

19 Moreover, to the extent Apple’s Opposition refers to or discusses Exhibit A to the Kim
20 Declaration, it could be used to Apple’s disadvantage by competitors if it were not filed under
21 seal, for the same reasons.

22 In addition, the Opposition contains materials that Samsung has designated as confidential
23 under the protective order entered in this case. Apple expects that, pursuant to Civil Local Rule
24 79-5(d), Samsung will file a declaration seeking to establish good cause to permit the sealing of
25 this document.

26 Pursuant to the Court’s standing order regarding motions to file under seal, effective
27 December 1, 2011, attached are the proposed public redacted versions of the items that Apple is
28

1 seeking to file under seal. Pursuant to Civil L.R. 79-(c), Apple will lodge with the Clerk the
2 documents at issue with the sealable portions highlighted.

3 Dated: June 4, 2012

MORRISON & FOERSTER LLP

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By: /s/ Michael A. Jacobs
Michael A. Jacobs

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Attorneys for Plaintiff
APPLE INC.

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