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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
 19 v.
 20 SAMSUNG ELECTRONICS CO., LTD., a
 Korean corporation; SAMSUNG
 ELECTRONICS AMERICA, INC., a New
 21 York corporation; and SAMSUNG
 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,
 22
 23 Defendants.

Case No. 11-cv-01846-LHK

**APPLE'S ADMINISTRATIVE
 MOTION TO FILE UNDER SEAL**

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 Inc.’s Reply in Support of Motion For
4 Adverse Inference Jury Instructions Due To Samsung’s Spoliation of Evidence (“Reply”);
- 5 2. The confidential, unredacted version of the Reply Declaration Of Esther Kim In Support
6 Of Apple Inc.’s Motion For Adverse Inference Jury Instructions Due To Samsung’s
7 Spoliation Of Evidence (“Kim Declaration”); and
- 8 3. Exhibits 1-11 to the Kim Declaration in their entirety.

9 The Reply contains confidential information that this Court has previously ordered sealed.
10 (*See* Dkt. No. 126 (sealing the declaration of Richard J. Lutton, Jr.)) It and the other documents
11 listed above also discuss information that Samsung has designated as confidential under the
12 protective order entered in this case. Pursuant to Civil L.R. 79-5(d), Samsung has filed the
13 Declaration of Daniel Shim in Support of Samsung’s Administrative Motion to File Documents
14 Under Seal (*see* Dkt. No. 987-2, the “Shim Declaration”) for the purpose of establishing that the
15 designated information is sealable. Should any additional declaration be required to seal the
16 information above, Apple expects that, pursuant to Civil Local Rule 79-5(d), Samsung will seek
17 to establish good cause to permit the sealing of these materials.

18 Pursuant to Civil Local Rule 79-(c), Apple will lodge the Reply and Kim Declaration with
19 the Clerk with the sealable portions highlighted. Redacted versions of the Reply and the Kim
20 Declaration are attached as exhibits hereto.

21 Dated: June 5, 2012

MORRISON & FOERSTER LLP

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

25 Attorneys for Plaintiff
26 APPLE INC.
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