

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP  
 Charles K. Verhoeven (Cal. Bar No. 170151)  
 2 charlesverhoeven@quinnemanuel.com  
 50 California Street, 22nd Floor  
 3 San Francisco, California 94111  
 Telephone: (415) 875-6600  
 4 Facsimile: (415) 875-6700

5 Kevin P.B. Johnson (Cal. Bar No. 177129)  
 kevinjohnson@quinnemanuel.com  
 6 Victoria F. Maroulis (Cal. Bar No. 202603)  
 victoriamaroulis@quinnemanuel.com  
 7 555 Twin Dolphin Drive 5th Floor  
 Redwood Shores, California 94065  
 8 Telephone: (650) 801-5000  
 Facsimile: (650) 801-5100

9 Michael T. Zeller (Cal. Bar No. 196417)  
 10 michaelzeller@quinnemanuel.com  
 865 S. Figueroa St., 10th Floor  
 11 Los Angeles, California 90017  
 Telephone: (213) 443-3000  
 12 Facsimile: (213) 443-3100

13 Attorneys for SAMSUNG ELECTRONICS  
 CO., LTD., SAMSUNG ELECTRONICS  
 14 AMERICA, INC. and SAMSUNG  
 TELECOMMUNICATIONS AMERICA, LLC  
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16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,  
 19 Plaintiff,  
 20 vs.  
 21 SAMSUNG ELECTRONICS CO., LTD., a  
 Korean business entity; SAMSUNG  
 22 ELECTRONICS AMERICA, INC., a New  
 York corporation; SAMSUNG  
 23 TELECOMMUNICATIONS AMERICA,  
 LLC, a Delaware limited liability company,  
 24 Defendants.  
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CASE NO. 11-cv-01846-LHK

**DECLARATION OF BILL TRAC IN  
 SUPPORT OF APPLE'S  
 ADMINISTRATIVE MOTION TO FILE  
 DOCUMENTS UNDER SEAL**

1 I, Bill Trac, declare:

2 1. I am an associate in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,  
3 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung  
4 Telecommunications America, LLC (collectively, "Samsung"). I submit this declaration in  
5 support of Apple's Administrative Motion to File Under Seal Documents Regarding Apple's  
6 Administrative Motion for Leave to File Objection to Reply Evidence (Dkt No. 1125) . Unless  
7 otherwise indicated, I have personal knowledge of the facts set forth in this declaration and, if  
8 called upon as a witness, I could and would testify as follows.

9 2. The requested relief is necessary to protect the confidentiality of information  
10 discussed in Apple's Objection to Reply Evidence ("Objection") and the Supplemental  
11 Declaration of Ravin Balakrishnan, Ph.D. in Support of Apple's Opposition to Samsung's Motion  
12 for Summary Judgment ("Balakrishnan Decl.").

13 3. Both Apple's Objection and the Balakrishnan Decl. include discussion of and/or  
14 screenshots from confidential files produced by Mitsubishi Electric Research Laboratories  
15 (MERL), a third party to this litigation. This discussion and the accompanying screenshots  
16 include information regarding the contents and structure of DiamondTouch software files,  
17 DTFlash libraries, demonstrations and videos for the DiamondTouch system, and other executable  
18 files that have been produced by MERL as Highly Confidential – Attorney's Eyes Only under the  
19 Protective Order.

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21 I declare under penalty of perjury that the foregoing is true and correct. Executed in San  
22 Francisco, California on June 29, 2012.

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/s/ Bill Trac

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**Declaration of ECF Technical Failure**

In compliance with General Order 45.VI.E and Local Rule 5-1, I made at least two attempts on June 29, 2012 to file the Declaration of Bill Trac in Support of Apple’s Administrative Motion to File Under Seal Documents Regarding Apple’s Administrative Motion for Leave to File Objection to Reply Evidence (Dkt No. 1125), once at approximately 5pm and again at approximately 8:30pm. However, I was unable to file this Declaration due to technical difficulties on the ECF website.

I declare under penalty of perjury that the foregoing is true and correct. Executed in San Francisco, California on June 30, 2012.

/s/ Bill Trac \_\_\_\_\_

1 **General Order 45 Attestation**

2 I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to file this  
3 Declaration. In compliance with General Order 45(X)(B), I hereby attest that Bill Trac has  
4 concurred in this filing.

5 /s/ Victoria Maroulis

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