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13 Attorneys for SAMSUNG ELECTRONICS CO.,
 LTD., SAMSUNG ELECTRONICS AMERICA,
 14 INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC
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16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
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19 APPLE INC., a California corporation,

20 Plaintiff,

21 vs.

22 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 23 ELECTRONICS AMERICA, INC., a New
 York corporation; SAMSUNG
 24 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,

25 Defendants.
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CASE NO. 11-cv-01846-LHK (PSG)

**DECLARATION OF HANKIL KANG IN
 SUPPORT OF SAMSUNG'S
 ADMINISTRATIVE MOTION TO FILE
 DOCUMENTS UNDER SEAL**

1 **DECLARATION OF HANKIL KANG**

2 I, Hankil Kang, do hereby declare as follows:

3 1. I am Legal Counsel at Samsung Electronics Co., Ltd. I submit this Declaration in
4 support of Samsung Electronics Co., Ltd's, Samsung Electronics America, Inc.'s, and Samsung
5 Telecommunications America, LLC's ("Samsung's") Administrative Motion to File Documents
6 Under Seal. I have personal knowledge of the facts set forth in this Declaration and, if called as a
7 witness, could and would competently testify to them.

8 2. The requested relief is necessary to protect the confidentiality of information
9 contained in:

- 10 • The unredacted version of Samsung's Oppositions to Apple's Motions *In Limine*;
11 and
- 12 • Exhibits E, F, and H-J to the Declaration of John D'Amato in Support of
13 Samsung's Oppositions to Apple's Motions *In Limine* ("D'Amato Declaration").

14 3. Exhibit E to the D'Amato Declaration is Defendant's Trial Exhibit No. 625, a
15 document produced by Samsung in this litigation bearing Bates labels beginning
16 SAMNDCA00321707, and with the designation HIGHLY CONFIDENTIAL – ATTORNEYS'
17 EYES ONLY under the Protective Order. This document contains highly sensitive information
18 related to Samsung's product strategy, including specific information about color themes, and
19 design strategy. This information is confidential and proprietary to Samsung, and could be used to
20 its disadvantage by competitors if the document were not filed under seal. This document should
21 be sealed in its entirety.

22 4. Exhibit F to the D'Amato Declaration is Defendant's Trial Exhibit No. 522, a
23 document produced by Samsung in this litigation bearing Bates labels beginning
24 SAMNDCA00321382, and with the designation HIGHLY CONFIDENTIAL – ATTORNEYS'
25 EYES ONLY under the Protective Order. This document contains highly sensitive information
26 related to Samsung's product strategy, including specific information about color themes, and
27 design strategy. This information is confidential and proprietary to Samsung, and could be used to
28

1 its disadvantage by competitors if the document were not filed under seal. This document should
2 be sealed in its entirety.

3 5. Exhibit H to the D'Amato Declaration consists of excerpts from the May 12, 2012
4 deposition transcript of Michael Wagner. Samsung has designated the transcript HIGHLY
5 CONFIDENTIAL-ATTORNEYS' EYES ONLY under the Protective Order. The portions of the
6 excerpts that Samsung requests be sealed contain highly sensitive, non-public information related
7 to Samsung's financial data. This information is confidential and proprietary to Samsung, and
8 could be used to its disadvantage by competitors if the excerpts were not filed under seal.

9 6. Exhibit I to the D'Amato Declaration is a document produced by Samsung in a
10 related Investigation before the International Trade Commission, bearing Bates labels beginning
11 S-ITC-007274461, and with the designation CONFIDENTIAL BUSINESS INFORMATION
12 pursuant to the ITC protective order. This document is a confidential Advanced Pricing
13 Agreement between the Internal Revenue Service and Samsung. It contains highly sensitive, non-
14 public information related to Samsung's financial data. This information is confidential and
15 proprietary to Samsung, and could be used to its disadvantage by competitors if the document
16 were not filed under seal. This document should be sealed in its entirety.

17 7. Exhibit J to the D'Amato Declaration consists of excerpts from the February 29,
18 2012 deposition transcript of Timothy Sheppard. Samsung has designated the transcript HIGHLY
19 CONFIDENTIAL-ATTORNEYS' EYES ONLY under the Protective Order. The portions of the
20 excerpts that Samsung requests be sealed contain highly sensitive, non-public information related
21 to Samsung's financial data. This information is confidential and proprietary to Samsung, and
22 could be used to its disadvantage by competitors if the excerpts were not filed under seal.

23 8. The portions of the unredacted version of Samsung's Oppositions to Apple's
24 Motions *in Limine* that Samsung requests be sealed discuss or refer to information described in
25 paragraphs 3-7 above and should be sealed for the same reasons.

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I declare under penalty of perjury that the forgoing is true and correct to the best of my knowledge. Executed this 11th day of July, 2012, in Suwon, South Korea.



Hankil Kang