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16 Attorneys for Samsung Electronics America, Inc.

17 and Samsung Telecommunications America LLC

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

20 APPLE INC., a California corporation,

21 Plaintiff,

22 vs.

23 SAMSUNG ELECTRONICS CO., LTD., a

24 Korean business entity; SAMSUNG

ELECTRONICS AMERICA, INC., a New

25 York corporation; SAMSUNG

26 TELECOMMUNICATIONS AMERICA,

LLC, a Delaware limited liability company,

27 Defendants.

CASE NO. 11-cv-01846-LHK

**DECLARATION OF AUSTIN TARANGO
IN SUPPORT OF SAMSUNG'S
ADMINISTRATIVE MOTION TO FILE
DOCUMENTS UNDER SEAL**

Date: August 24, 2011

Time: 2:00 pm

Place: Courtroom 4, 5th Floor

Judge: Hon. Lucy H. Koh

1 I, Austin Tarango, 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. I have personal knowledge of the facts set forth in this
5 declaration and, if called upon as a witness, I could and would testify to such facts under oath.

6 2. The confidential version of the Declaration of Eunha Kim In Support of Samsung's
7 Reply In Support of its Motion to Disqualify Bridges & Mavrakakis LLP (the "Kim Reply
8 Declaration") contains confidential, non-public information regarding a settlement meeting that
9 occurred between Apple and Samsung in or about September 2010. Pursuant to General Order
10 No. 62, a copy of the Declaration has been lodged with the Court for *in camera* review, served on
11 all parties, and will be e-filed with the Court pending the Court's granting of this Motion to Seal.

12 3. The following portions of the Kim Reply Declaration have been properly filed
13 under seal: Paragraphs 5-6.

14 4. Exhibit F of the Tarango Reply Declaration contains excerpts from the deposition
15 of Mr. Richard Lutton (the "Lutton Tr."). Apple has designated this deposition HIGHLY
16 CONFIDENTIAL-ATTORNEYS' EYES ONLY under the interim protective order. These
17 deposition excerpts also relate to the settlement meetings between Samsung and Apple and include
18 detailed, confidential, and non-public information regarding discussions that took place at these
19 meetings between Apple and Samsung. Pursuant to General Order No. 62, a copy of Exhibit F has
20 been lodged with the Court for *in camera* review, served on all parties, and will be e-filed with the
21 Court pending the Court's granting of this Motion to Seal.

22 5. Given that Apple designated Mr. Lutton's deposition testimony HIGHLY
23 CONFIDENTIAL-ATTORNEYS' EYES ONLY, and his testimony reveals confidential
24 information regarding the settlement meetings between Samsung and Apple, the entire transcript
25 provided in Exhibit F is properly filed under seal.

26 6. The confidential version of Samsung's Reply In Support of Its Motion to Disqualify
27 Bridges & Mavrakakis LLP. ("Reply") contains confidential, non-public information regarding a
28 settlement meeting that occurred between Apple and Samsung. This includes discussion of the

1 September 2010 meeting between Samsung and Apple, as well as the other meetings discussed by
2 Mr. Richard Lutton in his deposition. Pursuant to General Order No. 62, a copy of the Reply has
3 been lodged with the Court for *in camera* review, served on all parties, and will be e-filed with the
4 Court pending the Court's granting of this Motion to Seal.

5 7. The following portions of Samsung's Reply have been properly filed under seal:
6 Lines 18-20 and 22-24 on page 12, and lines 7-10 and 11-14 on page 14.

7 8. On August 8, 2011, I e-mailed counsel for Apple, Inc. ("Apple") requesting that
8 Apple agree to the filing under seal of information pertaining to the settlement meetings between
9 Apple and Samsung, as well as portions of the Lutton Tr. that had been marked HIGHLY
10 CONFIDENTIAL-ATTORNEYS' EYES ONLY and also discussed the Apple Samsung meetings
11 in detail. In response to this email, Apple's counsel agreed to not oppose Samsung's
12 Administrative Motion to file this information under seal.

13
14 I declare under penalty of perjury under the laws of the United States that the foregoing is
15 true and correct. Executed in Redwood Shores, CA on August 8, 2011.

16
17
18 By /s/ Austin Tarango
Austin Tarango