# EXHIBIT A

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**VIA E-MAIL & FEDERAL EXPRESS**

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Re: Notice of Disclosure of Confidential Documents

Dear Mr. Nuzzi:

My firm represents Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC, in several litigations with Apple Inc., involving claims of patent infringement. One action is pending in the United States District Court for the Northern District of California denominated Apple Inc. v. Samsung Electronics Co., Ltd., et.al, Case No. 5:11-cv-01846-LHK. Trial will start on July 29, 2012, and we are in the process of

designating trial exhibits.

We are writing to inform you that Samsung has designated as potential trial exhibits documents that contain your company's confidential business information. A list of the documents is attached as Appendix A. Pursuant to a recently issued court order, the Court will not allow Samsung to seal any such documents unless "compelling reasons" are shown, to warrant secrecy. (See the attached July 17, 2012 and July 20, 2012 Orders.) The Court made clear that a showing of "good cause" would not be sufficient for sealing and provided the following guidance regarding what specific factual findings might constitute "compelling reasons":

> [W]here a party seeks to file under seal documents attached to a dispositive motion, the strong presumption of public access can be overcome only by an "'articulat[ion of] compelling reasons supported by specific factual findings," and the Court must "'conscientiously balance[] the competing interests' of the public and the party who seeks to keep certain judicial records secret." "A 'good cause' showing will not, without more, satisfy a 'compelling reasons' test." The Ninth Circuit has explained that "compelling reasons" that justify sealing court records generally exist "when such 'court files might have become a vehicle for improper purposes,' such as the use of records to gratify private spite, promote public scandal, circulate libelous statements, or release trade secrets."

July 20, 2012 Order Denying Motions to Seal and Remove Incorrectly Filed Documents, at 2 (internal citations omitted).

Samsung has not identified any compelling reasons, under that standard, to warrant a request for sealing of these documents. To the extent that your company believes it can make such a showing, and if you want to try to obtain a court order to seal the information in these documents, we recommend that you consider filing a motion to intervene as a third party and then a motion to seal. Otherwise, the documents and information identified in Appendix A will be available to the public as a result of the upcoming trial. Please let us know if you have any questions.

Sincerely,

Melissa Dalziel

Melissa Dalziel

Enclosures

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