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 7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA  
 9 SAN JOSE DIVISION

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 11 APPLE INC., a California corporation,  
 12 Plaintiff,  
 13 v.  
 14 SAMSUNG ELECTRONICS CO., LTD., a  
 Korean corporation; SAMSUNG  
 15 ELECTRONICS AMERICA, INC., a New  
 York corporation; and SAMSUNG  
 16 TELECOMMUNICATIONS AMERICA,  
 LLC, a Delaware limited liability company,  
 17 Defendants.  
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Case No. 11-CV-01846-LHK

**NON-PARTY QUALCOMM  
 INCORPORATED'S  
 ADMINISTRATIVE MOTION  
 TO REMOVE AN  
 INCORRECTLY FILED  
 DOCUMENT**

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Case No. 11-CV-01846-LHK  
 Administrative Motion to Remove an Incorrectly Filed Document

1 Non-Party Qualcomm Incorporated (“Qualcomm”) respectfully submits  
2 this Administrative Motion to Remove an Incorrectly Filed Document, Docket Item  
3 1394, Attachment 2 in the Case No: 5:11-CV-01846-LHK. The document contains  
4 confidential information of non-party Qualcomm and was intended to be filed under seal.  
5 The ongoing public availability of the document would cause potentially substantial  
6 injury to Qualcomm.

7 Docket Item 1394 is Qualcomm’s Administrative Motion to Seal  
8 Confidential Information filed July 26, 2012. “Attachment 2” as listed on the docket  
9 sheet (also identified as “Exhibit 1 to the Declaration of Eric Reifschneider”) is a letter  
10 from counsel for Defendants Samsung Electronics Co. *et al.* to Qualcomm dated July 21,  
11 2012 (the “July 21 Letter”) identifying—and reciting—confidential information  
12 concerning Qualcomm license agreements contained in proposed Trial Exhibit 630, to  
13 give Qualcomm an opportunity to move to have such information admitted into evidence  
14 only under seal to preserve confidentiality.

15 Docket Item 1394 is Qualcomm’s motion to seal that information.  
16 Obviously, it was intended that Attachment 2 would be filed under seal in its entirety so  
17 that the Motion to Seal would not itself disclose the sensitive commercial information,  
18 but Attachment 2 was incorrectly not filed under seal.

19 At 9:00 a.m. PDT on Monday July 30, 2012, at the earliest possible  
20 opportunity after discovery of this incorrect filing, counsel for Qualcomm notified the  
21 ECF HelpDesk for the Northern District of California that Attachment 2 had been filed  
22 incorrectly and, following the ECF HelpDesk’s published procedures, Docket Item 1394  
23 was locked pending the decision of this motion.

24 Because Attachment 2 contains highly sensitive Qualcomm confidential  
25 information that is appropriately the subject matter of a motion to seal for the reasons  
26 fully described in Qualcomm’s Administrative Motion to Seal Confidential Information

