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13 Attorneys for SAMSUNG ELECTRONICS CO.,

LTD., SAMSUNG ELECTRONICS AMERICA,

14 INC. and SAMSUNG

TELECOMMUNICATIONS AMERICA, LLC

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

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 Defendant.

CASE NO. 11-cv-01846-LHK

**DECLARATION OF MELISSA N. CHAN
IN SUPPORT OF SAMSUNG'S
STIPULATED ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PURSUANT TO CIVIL LOCAL RULES 7-
11 AND 79-5**

Date: October 13, 2011

Time: 1:30 pm

Place: Courtroom 8, 4th Floor

Judge: Hon. Lucy H. Koh

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

7 2. Exhibits 1 and 5 of the Declaration of Michael T. Zeller in support of Samsung's
8 Motion to Exclude Ordinary Observer Opinions of Apple Expert Cooper Woodring ("Zeller
9 Declaration") contain transcript excerpts and an exhibit from the deposition of Mr. Cooper
10 Woodring ("the Woodring Tr."). Apple initially designated the Woodring Tr. as HIGHLY
11 CONFIDENTIAL-ATTORNEYS' EYES ONLY under the interim protective order, but revised its
12 designations on August 12, 2011. However, the deposition excerpts and exhibit attached as
13 Exhibits 1 and 5 of the Zeller Declaration remain designated by Apple as either CONFIDENTIAL
14 or HIGHLY CONFIDENTIAL-ATTORNEYS' EYES ONLY under the interim protective order.

15 3. Exhibit 3 of the Zeller Declaration is a document produced by Apple in this case
16 that Apple has designated HIGHLY CONFIDENTIAL-ATTORNEYS' EYES ONLY.

17 4. Exhibit 8 of the Zeller Declaration contains transcript excerpts from the deposition
18 of Mr. Christopher Stringer ("the Stringer Tr."). Apple has designated the entire Stringer Tr. as
19 HIGHLY CONFIDENTIAL-ATTORNEYS' EYES ONLY under the interim protective order.

20 5. Pursuant to General Order No. 62, copies of Exhibits 1, 3, 5 and 8 of the Zeller
21 Declaration have been lodged with the Court for in camera review, served on all parties, and will
22 be e-filed with the Court pending the Court's granting of this Motion to Seal.

23 6. Given that Apple designated the above-referenced documents or portions of the
24 excerpts and exhibits of the depositions of Cooper Woodring and Christopher Stringer as
25 CONFIDENTIAL or HIGHLY CONFIDENTIAL-ATTORNEYS' EYES ONLY, those
26 documents, excerpts and exhibits attached as Exhibits 1, 3, 5 and 8 to the Zeller Declaration are
27 properly filed under seal under Local Rule 79-5(d).

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1 7. The confidential, unredacted version of Samsung's Motion to Exclude Ordinary
2 Observer Opinions of Apple Expert Cooper Woodring ("Motion to Exclude") contains
3 information from Exhibits 1, 3, 5 and 8 to the Zeller Declaration. Pursuant to General Order No.
4 62, a copy of the confidential, unredacted version of the Motion to Exclude has been lodged with the
5 Court for in camera review, served on all parties, and will be e-filed with the Court pending the
6 Court's granting of this Motion to Seal.

7 8. On August 19, 2011, I e-mailed counsel for Apple, requesting that Apple agree to the
8 filing under seal of the sections of Samsung's Motion to Exclude Ordinary Observer Opinions of
9 Apple Expert Cooper Woodring, and the supporting declarations or exhibits, which include
10 confidential information. In response to this email, Apple's counsel indicated that it would not oppose
11 Samsung's Administrative Motion to file this information under seal.

12 I declare under penalty of perjury under the laws of the United States that the foregoing is true
13 and correct. Executed in Redwood Shores, CA on August 22, 2011.

14 DATED: August 22, 2011

Respectfully submitted,

15 QUINN EMANUEL URQUHART &
16 SULLIVAN, LLP

17
18 By /s/ Melissa N. Chan
19 Charles K. Verhoeven
20 Kevin P.B. Johnson
21 Victoria F. Maroulis
22 Michael T. Zeller
23 Attorneys for SAMSUNG ELECTRONICS CO.,
24 LTD., SAMSUNG ELECTRONICS AMERICA,
25 INC. and SAMSUNG
26 TELECOMMUNICATIONS AMERICA, LLC
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GENERAL ORDER ATTESTATION

I, Kevin Johnson, am the ECF user whose ID and password are being used to file the foregoing document. I hereby attest pursuant to General Order 45.X.B. that concurrence in the electronic filing of this document has been obtained from Melissa N. Chan.

/s/ Kevin Johnson