

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE, INC.,)	Case No.: C 11-1846 LHK (PSG)
)	
Plaintiff,)	ORDER GRANTING NONPARTY
v.)	SPRINT SPECTRUM, L.P.'S MOTION
)	TO SEAL DOCUMENT IN PART
SAMSUNG ELECTRONICS CO., LTD, a)	
Korean corporation; SAMSUNG)	(Re: Docket No. 736)
ELECTRONICS AMERICA, INC., a New York)	
corporation; and SAMSUNG)	
TELECOMMUNICATIONS AMERICA, LLC,)	
a Delaware limited liability company,)	
Defendants.)	

On October 17, 2012, Sprint Spectrum, L.P. (“Sprint”) moved to seal in part a document this court ordered to be unsealed in its order on September 18, 2012 (“September 18 order”).¹ The document at issue is a memorandum describing problems Sprint had with products from Samsung Telecommunications America, LLC (“Samsung”), a defendant in this case. The document was submitted as an exhibit to a motion filed by Apple, Inc. (“Apple”) to show that one of Samsung’s executives had sufficient decision-making authority to be deposed.² The court ordered the

¹ See Docket No. 1978.

² See Docket No. 736.

1 document unsealed because Samsung failed to provide with particularity good cause for sealing the
2 exhibit and failed to narrowly tailor its request.

3 Sealing requests for records attached to nondispositive motions, like the motion to compel
4 underlying this request, are subject to the “good cause” standard of Fed. R. Civ. P. 26(c).³ The
5 standard requires a “particularized showing”⁴ that “specific prejudice or harm will result” if the
6 information is disclosed.⁵ “[B]road allegations of harm, unsubstantiated by specific examples or
7 articulated reasoning” will not suffice.⁶

8
9 Sprint does not argue for the entire document to be sealed. Sprint instead requests only that
10 the document be filed with limited redactions of financial and economic information regarding the
11 number of phones returned and the amount in reimbursement Sprint sought from Samsung for the
12 quality problems. Backed by a supporting declaration, Sprint asserts that it maintains data
13 regarding the prices it pays for handsets in strict confidentiality to avoid competitive harm from
14 other manufacturers and competitors who could use the data to its detriment. The court notes that
15 the information, which was produced less than a year before the underlying litigation began, is
16 relatively recent and therefore would have a greater impact if disclosed than information from
17 several years ago.

18
19 Sprint has narrowly tailored its request to specific economic and financial information for
20 which it has shown good cause that it could be harmed if the information is disclosed.
21 Accordingly, Sprint’s motion to redact Exhibit 42 to Docket Number 736 is GRANTED.
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25 ³ See *Kamakana v. City and Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006).

26 ⁴ *Id.* at 1178-79.

27 ⁵ Fed. R. Civ. P. 26(c).

28 ⁶ *Id.*

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IT IS HEREBY ORDERED that within seven days Apple shall file the document with
Sprint's redactions.

IT IS SO ORDERED.

Dated: October 17, 2011



PAUL S. GREWAL
United States Magistrate Judge