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 Counterclaim-Defendant APPLE INC.

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

12 APPLE INC., a California corporation,
 13 Plaintiff,
 14 v.
 15 SAMSUNG ELECTRONICS CO., LTD., A
 16 Korean business entity; SAMSUNG
 17 ELECTRONICS AMERICA, INC., a New York
 corporation; SAMSUNG
 18 TELECOMMUNICATIONS AMERICA, LLC, a
 Delaware limited liability company,
 19 Defendants.

Case No. 4:11-cv-01846-LHK

**PLAINTIFF'S MOTION TO
 REMOVE INCORRECTLY
 FILED DOCUMENT:
 DOCKET NO. 247**

Date: No Hearing Requested
 Time:
 Courtroom: 5, 4th Floor
 Honorable Paul S. Grewal

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1 Apple Inc. hereby moves to remove the following documents from ECF, submitted
2 electronically on September 20, 2011, as Docket No. 247 in Case No. 4:11-cv-01846-LHK.

- 3 • **APPLE'S MOTION TO COMPEL SAMSUNG TO PRODUCE DOCUMENTS**
4 **AND PROVIDE RESPONSIVE ANSWERS TO PROPOUNDED DISCOVERY**
- 5 • **DECLARATION OF JASON R. BARTLETT IN SUPPORT OF APPLE'S**
6 **MOTION TO COMPEL SAMSUNG TO PRODUCE DOCUMENTS AND**
7 **PROVIDE RESPONSIVE ANSWERS TO PROPOUNDED DISCOVERY**
- 8 • **DECLARATION OF MINN CHUNG IN SUPPORT OF APPLE'S MOTION TO**
9 **COMPEL SAMSUNG TO PRODUCE DOCUMENTS AND PROVIDE**
10 **RESPONSIVE ANSWERS TO PROPOUNDED DISCOVERY**
- 11 • **[PROPOSED] ORDER GRANTING APPLE'S MOTION TO COMPEL**
12 **SAMSUNG TO PRODUCE DOCUMENTS AND PROVIDE RESPONSIVE**
13 **ANSWERS TO PROPOUNDED DISCOVERY**

14 Defendant Samsung claims that these documents were incorrectly filed publicly, and that
15 they should have been filed under seal. The ECF helpdesk has already been contacted, and they
16 have promptly locked the documents in question and are awaiting the Court's order to remove
17 them from the record.

18 According to Samsung's request, Apple is resubmitting these documents under seal and
19 will lodge a copy with the clerk's office on September 22, 2011. Apple will also file an
20 Administrative Motion to File Under Seal, solely to allow Samsung the opportunity to submit a
21 declaration and proposed sealing order pursuant to Local Rule 79-5(d).

22 For the foregoing reasons, Apple Inc. respectfully requests that the Court grant Apple's
23 Motion to Remove Incorrectly Filed Document: Docket No. 247.

24 Dated: September 21, 2011

HAROLD J. MCELHINNY
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25 By: /s/ Jason R. Bartlett
JASON R. BARTLETT

26 Attorneys for Plaintiff and
27 Counterclaim-Defendant APPLE INC.
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