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 and Samsung Telecommunications America LLC
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15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

17 APPLE INC., a California corporation,
 18 Plaintiff,
 19 vs.
 20 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 21 ELECTRONICS AMERICA, INC., a New
 York corporation; SAMSUNG
 22 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,
 23 Defendants.
 24

CASE NO. 11-cv-01846-LHK
**SAMSUNG'S ADMINISTRATIVE
 MOTION TO FILE DOCUMENTS
 UNDER SEAL**

1 Pursuant to Civil L.R. 79-5 and 7-11, and General Order No. 62, Samsung Electronics
2 America, Inc. (“SEA”) and Samsung Telecommunications America, LLC (“STA”) (collectively
3 “Samsung”) hereby bring this administrative motion for a sealing order to seal the Declarations of
4 Brian Rosenberg and Travis Merrill in support of Samsung’s Opposition to Plaintiff’s Motion to
5 Expedite Discovery (the “Rosenberg Opposition Declaration” and “Merrill Opposition
6 Declaration”), and portions of Samsung’s Opposition to Plaintiff’s Motion to Expedite Discovery
7 that reference these declarations.

8 Samsung has established good cause to permit filing this information under seal through
9 the Declarations of Brian Rosenberg and Travis Merrill In Support of Samsung’s Administrative
10 Motion to File Documents Under Seal filed contemporaneously herewith (the “Rosenberg Sealing
11 Declaration” and “Merrill Sealing Declaration”). The Rosenberg and Merrill Opposition
12 Declarations contain information relating to unreleased product launch dates, and information
13 relating to Samsung’s total number of employees, and the number of employees involved in the
14 design and marketing of the products at issue. (Rosenberg Sealing Decl. at ¶ 3; Merrill Sealing
15 Decl. at ¶ 3.) It is Samsung’s policy and practice not to disclose such product release dates or
16 employee information because such information is confidential to Samsung. (Id.) The employee
17 information is indicative of the way in which Samsung manages its business affairs, and thus can
18 be used by Samsung’s competitors to its disadvantage. (Id.) The product release dates are
19 especially sensitive to Samsung, since Samsung’s competitors can use them to anticipate and
20 counter Samsung’s business strategy relating to mobile devices. (Id.) In order to narrowly tailor
21 the requested sealing to only sealable material, Samsung has limited its request to:

- 22 • Declaration of Brian Rosenberg in support of Samsung’s Opposition to Plaintiff’s
23 Motion to Expedite Discovery,
- 24 • Declaration of Travis Merrill in support of Samsung’s Opposition to Plaintiff’s
25 Motion to Expedite Discovery, and
- 26 • The unredacted version of Samsung’s Opposition to Plaintiff’s Motion to Expedite
27 Discovery, which references confidential Samsung information contained in the
28 Rosenberg and Merrill Declarations.

1 Accordingly, Samsung respectfully requests that the Court order that the Rosenberg and
2 Merrill Declarations and the portions of Samsung’s Opposition to Plaintiff’s Motion to Expedite
3 Discovery referencing these declarations be filed under seal. Counsel for Apple Inc. has stated
4 that Apple will not oppose Samsung’s Motion to Seal. (Decl. of Victoria Maroulis In Support of
5 Samsung’s Administrative Motion to Seal Documents at ¶ 3.)

6
7 DATED: May 5, 2011

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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9
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