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Attorneys for Plaintiff and
 Counterclaim-Defendant APPLE INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., A
 Korean business entity; SAMSUNG
 ELECTRONICS AMERICA, INC., a New York
 corporation; SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC, a
 Delaware limited liability company.,

Defendants.

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

**DECLARATION OF CYNDI
 WHEELER IN SUPPORT OF
 APPLE'S ADMINISTRATIVE
 MOTION TO FILE ITS
 OBJECTIONS TO SAMSUNG'S
 UNTIMELY NEW EVIDENCE
 REGARDING PRELIMINARY
 INJUNCTION MOTION AND
 SUPPORTING DOCUMENTS
 UNDER SEAL**

1 I, Cyndi Wheeler, do hereby declare as follows:

2 1. I am an attorney for Apple Inc. (“Apple”). I submit this declaration in support of
3 Apple’s Unopposed Administrative Motion to File Apple’s Objections to Samsung’s Untimely
4 New Evidence Regarding Preliminary Injunction Motion and Supporting Documents Under Seal.
5 Unless otherwise indicated, I have personal knowledge of the matters set forth below. If called as
6 a witness I could and would testify competently as follows.

7 2. Exhibits E & G to the Declaration of Grant Kim (“Kim Declaration”), filed
8 herewith, consist of excerpts of deposition transcripts that contain confidential information of
9 Apple.

- 10 • Exhibit E contains excerpts of the August 3, 2011 deposition of Christopher
11 Stringer that Apple designated as HIGHLY CONFIDENTIAL—ATTORNEYS’
12 EYES ONLY because Mr. Stringer, a member of Apple’s industrial design team,
13 discussed proprietary information about Apple’s design process;
- 14 • Exhibit G contains excerpts of the transcript of the September 14, 2011 deposition
15 of Michael J. Wagner that refer to information designated HIGHLY
16 CONFIDENTIAL—ATTORNEYS’ EYES ONLY, in part, because he discusses
17 Apple’s confidential financial and business information.

18 3. It is Apple’s policy to not disclose or describe its confidential design trade secrets,
19 market research, product development, or business practices. This information is confidential to
20 Apple. It is indicative of the way that Apple manages its business affairs and conducts product
21 development, and thus it can be used by Apple’s competitors to its disadvantage. The requested
22 relief is necessary and narrowly tailored to protect the confidentiality of this information. I
23 further understand that Samsung plans to submit excerpts from these depositions that also contain
24 Apple confidential information for the reasons stated above.

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I declare under the penalty of perjury under the laws of the United States of America that the forgoing is true and correct to the best of my knowledge and that this Declaration was executed this 17th day of October, 2011, at Cupertino, California.

Dated: October 17, 2011

By: /s/ Cyndi Wheeler
Cyndi Wheeler

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ATTESTATION OF E-FILED SIGNATURE

I, Michael A. Jacobs, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Cyndi Wheeler has concurred in this filing.

Dated: October 17, 2011

By: /s/ Michael A. Jacobs
 Michael A. Jacobs