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 12 Attorneys for Plaintiff and  
 Counterclaim-Defendant APPLE INC.

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA  
 16 SAN JOSE DIVISION

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

Case No. 11-cv-01846-LHK

**DECLARATION OF  
 ERICA TIERNEY IN SUPPORT  
 OF APPLE'S UNOPPOSED  
 ADMINISTRATIVE MOTION  
 TO FILE DOCUMENTS UNDER  
 SEAL**

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1 I, Erica Tierney, 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 Documents Under Seal. Unless otherwise  
4 indicated, I have personal knowledge of the matters set forth below. If called as a witness I could  
5 and would testify competently as follows.

6 2. The requested relief is necessary and narrowly tailored to protect the  
7 confidentiality of the information discussed in Apple’s Motion for a Protective Order, the  
8 Declaration of Michael A. Jacobs in Support of Apple’s Motion for a Protective Order and  
9 Motion to Shorten Time (“Jacobs Declaration”), and its exhibits.

10 3. Exhibit A to the Jacobs Declaration contains excerpts of the September 23, 2011  
11 deposition of Roger Fidler.

12 4. Exhibit B to the Jacobs Declaration contains excerpts of the transcript of the  
13 October 6, 2011 deposition of Erin Wong, which Apple has designated CONFIDENTIAL –  
14 ATTORNEYS EYES ONLY. These excerpts make reference to Apple’s product design process.

15 5. Exhibit C to the Jacobs Declaration contains excerpts of the October 7, 2011  
16 deposition of Tracy-Gene Durkin, which Apple has designated CONFIDENTIAL –  
17 ATTORNEYS EYES ONLY. These excerpts make reference to Apple’s design process and  
18 patent applications.

19 6. Exhibit F to the Jacobs Declaration contains excerpts of the October 25, 2011  
20 deposition of Quinn Hoellwarth, which Apple has designated HIGHLY CONFIDENTIAL –  
21 ATTORNEYS EYES ONLY. These excerpts make reference to Apple’s product design process.

22 7. Exhibit G to the Jacobs Declaration contains a DVD containing what I understand  
23 to be true and correct video clips from the Fidler, Wong, Durkin, and Hoellwarth depositions  
24 referenced above, which are confidential for the reasons stated above.

25 8. Exhibit H to the Jacobs Declaration contains excerpts of the October 26, 2011  
26 deposition of Bartley Andre, which Apple has designated CONFIDENTIAL – ATTORNEYS  
27 EYES ONLY. These excerpts make reference to Apple’s product design process.

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9. It is Apple’s policy not to disclose or describe its confidential design trade secrets, product development, or business practices. This information is confidential to Apple. It is indicative of the way that Apple manages its business affairs and conducts product development, and thus it can be used by Apple’s competitors to its disadvantage.

I declare under the penalty of perjury that the forgoing is true and correct to the best of my knowledge and that this Declaration was executed this 26th day of October, 2011 at Belmont, California.

/s/ Erica Tierney  
Erica Tierney

