

1 HAROLD J. MCELHINNY (CA SBN 66781)
 hmcclhinny@mofo.com
 2 MICHAEL A. JACOBS (CA SBN 111664)
 mjacobs@mofo.com
 3 JENNIFER LEE TAYLOR (CA SBN 161368)
 jtaylor@mofo.com
 4 ALISON M. TUCHER (CA SBN 171363)
 atucher@mofo.com
 5 RICHARD S.J. HUNG (CA SBN 197425)
 rhung@mofo.com
 6 JASON R. BARTLETT (CA SBN 214530)
 jasonbartlett@mofo.com
 7 MORRISON & FOERSTER LLP
 425 Market Street
 8 San Francisco, California 94105-2482
 Telephone: (415) 268-7000
 9 Facsimile: (415) 268-7522

WILLIAM F. LEE (*pro hac vice*)
 william.lee@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 60 State Street
 Boston, MA 02109
 Telephone: (617) 526-6000
 Facsimile: (617) 526-5000

MARK D. SELWYN (SBN 244180)
 mark.selwyn@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 950 Page Mill Road
 Palo Alto, California 94304
 Telephone: (650) 858-6000
 Facsimile: (650) 858-6100

10
 11 Attorneys for Plaintiff and Counterclaim-
 Defendant APPLE INC.

12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

16
 17 APPLE INC., a California corporation,
 18 Plaintiff,
 19 v.
 20 SAMSUNG ELECTRONICS CO., LTD., a
 Korean corporation; SAMSUNG ELECTRONICS
 21 AMERICA, INC., a New York corporation; and
 SAMSUNG TELECOMMUNICATIONS
 22 AMERICA, LLC, a Delaware limited liability
 company,
 23 Defendants.
 24

Case No. 11-cv-01846-LHK

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER SEALING
 NOVEMBER 1, 2011 HEARING
 TRANSCRIPT**

25
 26
 27
 28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Plaintiff and counterclaim-defendant Apple Inc. (“Apple”) and defendants and counterclaim-claimants Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively, “Samsung”) stipulate to and request an order sealing the November 1, 2011 hearing transcript regarding: (i) Apple’s Motion for a Protective Order (submitted October 27, 2011) and (ii) Samsung’s Motion to Compel Apple to Produce Documents and Things (submitted October 28, 2011).

At the hearing, regarding the first motion, the parties discussed confidential information at length, including descriptions of, and quotations from, numerous deposition transcripts that Apple has designated as highly confidential under the interim protective order. As for the second motion, the parties’ discussions concerned Apple’s confidential information, including its industrial design process and product development. (See Decl. of Erica Tierney in Supp. of Apple’s Unopposed Admin. Mot. to File Documents Under Seal, D.N. 327-1 ¶¶ 4-8.) This is information that Apple does not disclose or describe, as it is indicative of the way that Apple manages its business affairs and conducts product development and thus can be used by Apple’s competitors to its disadvantage. (Id. at ¶ 9.) Although the courtroom was not sealed during these discussions, only the Court, its staff, and the parties and their counsel were present when these motions were heard.

Dated: November 4, 2011

MORRISON & FOERSTER ^{LLP}
By: /s/ Richard S.J. Hung
RICHARD S.J. HUNG
Attorneys for APPLE INC.

QUINN EMANUEL URQUHART & SULLIVAN, LLP
By: /s/ Victoria F. Maroulis
VICTORIA F. MAROULIS
Attorneys for SAMSUNG ELECTRONICS CO. LTD, SAMSUNG ELECTRONICS AMERICA, INC. & SAMSUNG TELECOMMUNICATIONS AMERICA, LLC.


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to stipulation,

IT IS SO ORDERED.

DATED: November 7, 2011.



HONORABLE PAUL S. GREWAL
United States Magistrate Judge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTESTATION OF E-FILED SIGNATURE

I, Richard S.J. Hung, am the ECF User whose ID and password are being used to file this Joint Stipulation. In compliance with General Order 45, X.B., I hereby attest that Victoria F. Maroulis has concurred in this filing.

Dated: November 4, 2011

/s/ Richard S.J. Hung
Richard S.J. Hung