

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP
 Charles K. Verhoeven (Cal. Bar No. 170151)
 2 charlesverhoeven@quinnemanuel.com
 50 California Street, 22nd Floor
 3 San Francisco, California 94111
 Telephone: (415) 875-6600
 4 Facsimile: (415) 875-6700

5 Kevin P.B. Johnson (Cal. Bar No. 177129)
 kevinjohnson@quinnemanuel.com
 6 Victoria F. Maroulis (Cal. Bar No. 202603)
 victoriamaroulis@quinnemanuel.com
 7 555 Twin Dolphin Drive 5th Floor
 Redwood Shores, California 94065
 8 Telephone: (650) 801-5000
 Facsimile: (650) 801-5100

9 Michael T. Zeller (Cal. Bar No. 196417)
 10 michaelzeller@quinnemanuel.com
 865 S. Figueroa St., 10th Floor
 11 Los Angeles, California 90017
 Telephone: (213) 443-3000
 12 Facsimile: (213) 443-3100

13 Attorneys for SAMSUNG ELECTRONICS
 CO., LTD., SAMSUNG ELECTRONICS
 14 AMERICA, INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC
 15

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,

19 Plaintiff,

20 vs.

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.
 25

CASE NO. 11-cv-01846-LHK

**DECLARATION OF BRIAN E. MACK IN
 SUPPORT OF SAMSUNG'S
 ADMINISTRATIVE MOTION TO FILE
 DOCUMENTS UNDER SEAL**

1 I, Brian E. Mack, declare:

2 1. I am an associate in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,
3 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung
4 Telecommunications America, LLC (collectively, “Samsung”). Unless otherwise indicated, I
5 have personal knowledge of the facts set forth in this declaration and, if called upon as a witness, I
6 could and would testify as follows.

7
8 2. The requested relief is necessary to protect the confidentiality of information
9 discussed in Samsung’s Response to Apple’s Opening Claim Construction Brief and the attached
10 exhibits to the Declaration of Todd M. Briggs in Support of Samsung's Response to Apple’s
11 Opening Claim Construction Brief. These documents discuss or contain information and
12 references from documents that the parties have designated as “Confidential” or “Highly
13 Confidential – Attorneys’ Eyes Only” under the interim protective order.

14
15 3. Exhibits B, I, J, M, and S to the Declaration of Todd M. Briggs in Support of
16 Samsung's Response to Apple’s Opening Claim Construction Brief contain excerpts from
17 deposition transcripts or deposition exhibits of Apple witnesses that Apple has designated as either
18 confidential or highly confidential under the interim protective order. Samsung expects that
19 pursuant to Civil Local Rule 79-5, Apple will file a declaration establishing good cause to permit
20 the sealing of these documents.

21
22 4. Exhibits N and O to the Declaration of Todd M. Briggs in Support of Samsung's
23 Response to Apple’s Opening Claim Construction Brief contain excerpts of documents produced
24 by Apple as “Highly Confidential – Attorneys’ Eyes Only” under the interim protective order.
25 These documents relate to the matter of *Certain Mobile Device and Related Software*, ITC Inv. No.
26 337-TA-750. Samsung expects that pursuant to Civil Local Rule 79-5, Apple will file a
27 declaration establishing good cause to permit the sealing of these documents.

