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APPLE INC.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

14 APPLE INC., a California corporation,

15 Plaintiff,

16 v.

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

20 Defendants.
21

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

**APPLE'S STIPULATED
ADMINISTRATIVE MOTION TO
FILE DOCUMENTS UNDER
SEAL**

22
23 In accordance with Civil L.R. 79-5 and 7-11, and General Order No. 62, Apple Inc.
24 ("Apple") moves this Court for an order to seal the Declaration of Richard J. Lutton in Support of
25 Apple's Opposition to Defendants' Motion to Compel Apple to Produce Reciprocal Expedited
26 Discovery (the "Lutton Opposition Declaration"), and portions of Apple's opposition brief that
27 reference this declaration.
28

1 Apple has established good cause to permit filing this information under seal through the
2 Declaration of Jayna R. Whitt in Support of Apple’s Administrative Motion to File Documents
3 Under Seal (the “Whitt Sealing Declaration”), filed herewith. The Lutton Opposition Declaration
4 contains information relating to Apple’s confidential business practices, including its product
5 launch and marketing strategies, as well as certain of its policies for preserving the secrecy and
6 confidentiality of its product development. (Whitt Sealing Decl. at ¶ 2.) It is Apple’s policy and
7 practice not to disclose such information because it is confidential to Apple. (*Id.*) This
8 information is indicative of the way in which Apple manages its business affairs and conducts
9 product development, and thus can be used by Apple’s competitors to its disadvantage. (*Id.*) In
10 order to narrowly tailor the requested sealing to only sealable material, Apple has limited its
11 request to the Lutton Opposition Declaration and the unredacted version of Apple’s Opposition to
12 Defendants’ Motion to Compel Apple to Produce Reciprocal Expedited Discovery, which
13 references confidential Apple information contained in the Lutton Opposition Declaration.

14 In conclusion, Apple requests that the Court order that the Lutton Opposition Declaration
15 and portions of Apple’s opposition brief referencing this declaration be filed under seal. Counsel
16 for the Samsung defendants has stipulated to Apple’s motion. (Decl. of Jason Bartlett in support
17 of Apple’s Administrative Motion to File Documents Under Seal, filed herewith, at ¶ 2.)

18 Dated: June 7, 2011

HAROLD J. MCELHINNY
MICHAEL A. JACOBS
JENNIFER LEE TAYLOR
JASON R. BARTLETT
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22 By: /s/ Michael A. Jacobs
MICHAEL A. JACOBS

23 Attorneys for Plaintiff
24 APPLE INC.
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ECF ATTESTATION

I, JASON R. BARTLETT, am the ECF User whose ID and password are being used to file the following document: APPLE'S ADMINSTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL. In compliance with General Order 45, X.B., I hereby attest that Michael A. Jacobs has concurred in this filing.

Dated: June 7, 2011

**JASON R. BARTLETT
MORRISON & FOERSTER LLP**

By: /s/ Jason R. Bartlett
JASON R. BARTLETT