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13 Attorneys for SAMSUNG ELECTRONICS CO.,
 LTD., SAMSUNG ELECTRONICS AMERICA,
 14 INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC
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16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
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19 APPLE INC., a California corporation,
 20 Plaintiff,
 21 vs.
 22 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 23 ELECTRONICS AMERICA, INC., a New
 York corporation; SAMSUNG
 24 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,
 25 Defendant.
 26

CASE NO. 11-cv-01846-LHK

**DECLARATION OF MELISSA N. CHAN
 IN SUPPORT OF SEALING APPLE'S
 MOTION TO COMPEL PRODUCTION
 OF DOCUMENTS AND THINGS AND
 EXHIBITS A, H, AND J TO THE MAZZA
 DECLARATION IN SUPPORT
 THEREOF, PURSUANT TO LOCAL
 RULE 79-5(d)**

1 Pursuant to Civil L.R. 79-5(d), Defendants Samsung Electronics Co., Ltd., Samsung
2 Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively
3 “Samsung”) submit the appended declaration of Melissa N. Chan in support of Apple’s
4 Administrative Motion to Seal Apple’s Motion to Compel (Dkt. No. 613), to establish that the
5 following are sealable:

- 6 • Confidential Portions of Apple’s Motion to Compel Production of Documents and
7 Things (“Motion to Compel”);
- 8 • Confidential Portions of the Declaration of Mia Mazza in Support of Apple’s Motion to
9 Compel (“Mazza Declaration”); and
- 10 • Exhibits A, H, and J to the Mazza Declaration).

11 **DECLARATION OF MELISSA N. CHAN**

12 I, Melissa N. Chan, do hereby declare as follows:

13 1. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP, counsel for
14 Samsung. I submit this Declaration in support of Apple’s Administrative Motion to Seal Apple's
15 Motion to Compel (Dkt. No. 613). I have personal knowledge of the facts set forth in this
16 Declaration and, if called as a witness, could and would competently testify to them.

17 2. Exhibit A to the Mazza Declaration consists of a letter sent to counsel for Apple
18 from counsel for Samsung. This document contains confidential business information about
19 Samsung’s internal files and organization, confidential technical documents showing Samsung’s
20 business relationships and design strategy, and has been designated as HIGHLY
21 CONFIDENTIAL — ATTORNEYS’ EYES ONLY.

22 3. Exhibit H to the Mazza Declaration consists of a letter sent from counsel for to
23 counsel for Samsung discussing the contents of a document designated HIGHLY
24 CONFIDENTIAL — ATTORNEYS’ EYES ONLY. The document reflects the procedure and
25 results of confidential consumer research conducted by Samsung. This document contains
26 sensitive business information that could be used to Samsung's detriment if not filed under seal.

27 4. Exhibit J consists of excerpts from the deposition transcript of Tim Sheppard, a
28 Samsung witness. This document contains sensitive information about the manner in which

1 Samsung maintains its financial records, as well as Samsung's accounting practices. This
2 information that could be used to Samsung's detriment if not filed under seal, and Samsung has
3 accordingly designated this document as HIGHLY CONFIDENTIAL — ATTORNEYS' EYES

4 5. The confidential Mazza Declaration summarizes, describes and/or directly cites to
5 the confidential exhibits discussed in paragraphs 2 through 4 above. Therefore, the declaration
6 should remain under seal for the same reasons articulated above.

7 6. Apple's Motion to Compel summarizes, describes and/or directly cites to the
8 confidential Mazza Declaration and the confidential exhibits discussed in paragraphs 2 through 4
9 above. Therefore, the motion should remain under seal for the same reasons articulated above.

10 7. The requested relief is necessary and narrowly tailored to protect this confidential
11 information. The exhibits described above do not contain significant relevant, non-confidential
12 material.

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15 I declare under penalty of perjury that the forgoing is true and correct to the best of my
16 knowledge.

17 Executed this 19th day of January, 2012, in Palo Alto, CA.

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20 /s/ Melissa N. Chan
Melissa N. Chan

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General Order 45 Attestation

I, Victoria F. Maroulis, 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 Melissa N. Chan has concurred in this filing.

/s/ Victoria Maroulis