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11 Attorneys for Plaintiff and
 12 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
 22 Korean business entity; SAMSUNG
 23 ELECTRONICS AMERICA, INC., a New York
 corporation; SAMSUNG
 24 TELECOMMUNICATIONS AMERICA, LLC, a
 Delaware limited liability company,
 25 Defendants.

Case No. 11-cv-01846-LHK

**DECLARATION OF
 CYNDI WHEELER IN SUPPORT
 OF SAMSUNG'S
 ADMINISTRATIVE MOTION TO
 FILE DOCUMENTS UNDER
 SEAL**

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1 I, Cyndi Wheeler, do hereby declare as follows:

2 1. I am an attorney for Apple Inc. (“Apple”). I submit this declaration in support of
3 Samsung’s Motion to File Documents Under Seal filed on February 2, 2012. [Dkt. No. 707.]
4 Unless otherwise indicated, I have personal knowledge of the matters set forth below. If called as
5 a witness I could and would testify competently as follows.

6 2. Samsung’s Unopposed Motion for Issuance of a Request for Judicial Assistance
7 (“Samsung’s Motion”) and Exhibits 1-6 of the Declaration of Sam Stake in Support of Samsung’s
8 Motion contain Apple-confidential material. (*See* Declaration of Sam Stake in Support of
9 Samsung’s Administrative Motion to File Documents Under Seal [Dkt. No. 707-1].) Specifically:

- 10 • Exhibit 1 consists of excerpts from the deposition of Joshua Strickon. Page
11 191 and lines 192:1-10 contain discussions of notes from an early development
12 meeting involving prototypes and design decisions, and should be sealed. A
13 proposed redacted version is attached as Exhibit A.
- 14 • Exhibit 2 consists of excerpts from the deposition of Brian Huppi. Pages 129-
15 132 contain discussions of early product development, including initial
16 mockups and prototypes, and should be sealed. A proposed redacted version is
17 attached as Exhibit B.
- 18 • Exhibits 3 and 4 are an early design document and an email, respectively, each
19 of which consists of a discussion of an early project and prototype that were in
20 development. The project and prototype discussed are highly confidential, and
21 the documents should be sealed in their entirety.
- 22 • Exhibit 5 consists of excerpts from the deposition of Christopher Stringer.
23 Pages 105-107 consist of a discussion of the confidential early development
24 project and prototype referenced above and should be sealed. A proposed
25 redacted version is attached as Exhibit C.
- 26 • Exhibit 6 consists of excerpts from the deposition of Eugene Whang. Lines
27 47:3-6 and 47:10-12 refer to the confidential code name for the project
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referenced above and should be sealed. A proposed redacted version is attached as Exhibit D.

- Samsung’s Motion contains discussion of the aforementioned exhibits and should be sealed to the extent it refers to them.

3. It is Apple’s policy not to disclose or describe its trade secrets, product development, or business practices to third parties. The above information is confidential to Apple. It is indicative of the way that Apple manages its business affairs, designs its products and conducts product development. Apple’s internal project code names reveal information that Apple uses to maintain confidentiality with respect to its entire design and development process. If disclosed, the information in the materials described above could be used by Apple’s competitors to Apple’s disadvantage. The requested relief is necessary and narrowly tailored to protect the confidentiality of this information.

I declare under the penalty of perjury under the laws of the United States of America that the forgoing is true and correct to the best of my knowledge and that this Declaration was executed this 9th day of February, 2012, at Cupertino, California.

Dated: February 9, 2012

By: /s/ Cyndi Wheeler
Cyndi Wheeler

