

1 HAROLD J. MCELHINNY (CA SBN 66781)  
 hmcelhenny@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  
 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

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

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

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

Case No. 11-cv-01846-LHK (PSG)

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

Hon. Lucy H. Koh

1 In accordance with Civil Local Rules 7-11 and 79-5, and General Order No. 62,  
2 Apple Inc. (“Apple”) submits this motion for an order to seal the following documents or portions  
3 thereof:

4 1. The confidential, unredacted version of Apple’s Motion for Adverse Inference  
5 Jury Instructions due to Samsung’s Spoliation of Evidence (“Motion”);

6 2. The confidential, unredacted version of the Declaration of Esther Kim in Support  
7 of Apple’s Motion (“Kim Declaration”); and

8 3. Exhibits 2 through 31, 34, and 35 to the Kim Declaration.

9 Items 1 through 3 contain materials that Samsung has designated as confidential under the  
10 protective order entered in this case. Apple expects that pursuant to Civil Local Rule 79-5(d),  
11 Samsung will file a declaration establishing good cause to permit the sealing of these materials.  
12 Pursuant to Civil Local Rule 79-(c), Apple will lodge with the Clerk the documents at issue with  
13 the sealable portions highlighted. Proposed redacted versions of items 1–2 are attached as  
14 exhibits hereto.

15 Dated: May 1, 2012

MORRISON & FOERSTER LLP

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18 By: /s/ Harold J. McElhinny  
Harold J. McElhinny

19 Attorneys for Plaintiff  
20 APPLE INC.