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Attorneys for Plaintiff and  
Counterclaim-Defendant APPLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

APPLE INC., a California corporation,  
  
Plaintiff,  
  
v.  
  
SAMSUNG ELECTRONICS CO., LTD., A  
Korean business entity; SAMSUNG  
ELECTRONICS AMERICA, INC., a New York  
corporation; SAMSUNG  
TELECOMMUNICATIONS AMERICA, LLC, a  
Delaware limited liability company,  
  
Defendants.

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

**DECLARATION OF  
MARK D. SELWYN IN SUPPORT  
OF APPLE'S ADMINISTRATIVE  
MOTION TO FILE DOCUMENTS  
UNDER SEAL**

1 I, Mark D. Selwyn, do hereby declare as follows:

2 1. I am a partner with the law firm of Wilmer Cutler Pickering Hale and Dorr LLP  
3 and counsel for plaintiff and counterclaim-defendant Apple Inc. (“Apple”). I am familiar with  
4 and knowledgeable about the facts stated in this declaration and if called upon could and would  
5 testify competently as to the statements made herein.

6 2. Apple’s Motion for Summary Judgment and exhibits 5 and 7 to the Declaration of  
7 Mark D. Selwyn (“Selwyn Declaration”) contain information that third parties have designated  
8 confidential. Specifically:

9 A. Exhibit 5 to the Selwyn Declaration is an excerpt from the deposition  
10 transcript of Richard D. Wesel, an expert retained by Samsung. Pages 113-  
11 119 and 165-166 contain information that Dr. Wesel indicates is based on  
12 documents and source code produced by Intel in this action and in ITC Inv.  
13 No. 337-794.

14 B. Exhibit 7 to the Selwyn Declaration is the Expert Report of Wayne Stark  
15 Regarding Non-Infringement of U.S. Patent Number 7,362,867.  
16 Paragraphs 25-30, 38-39, 52-56, 58-60, 64-67, 72-76, and 85-87 contain  
17 information about Intel baseband processors based on documents and  
18 source code produced by Intel in this action and in ITC Inv. No. 337-794.

19 C. The confidential, unredacted version of Apple’s Motion for Summary  
20 Judgment discusses and references the information contained in paragraphs  
21 A-B above, and should therefore be sealed for the same reasons.

22 3. The relief requested in this motion is necessary and is narrowly tailored to protect  
23 confidential information, focusing only on specific exhibits and specific portions of the briefs at  
24 issue.

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document has been served on May 17, 2012 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civil Local Rule 5.4. Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery.

/s/ Mark. D Selwyn  
Mark D. Selwyn