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11	Counterclaim-Defendant APPLE INC	
12	UNITED STATES DI	STRICT COURT
13	NORTHERN DISTRICT	COF CALIFORNIA
14	SAN JOSE DIVISION	
15		
16	APPLE INC., a California corporation,	Case No. 11-cv-01846-LHK
17	Plaintiff,	APPLE INC.'S ADMINISTRATIVE MOTION TO FILE DOCUMENTS
18	v.	UNDER SEAL RE APPLE'S MOTION TO EXCLUDE TESTIMONY OF
19	SAMSUNG ELECTRONICS CO., LTD., a Korean business entity; SAMSUNG	SAMSUNG'S EXPERTS
20	ELECTRONICS AMERICA, INC., a New York corporation; SAMSUNG	
21	TELECOMMUNICATIONS AMERICA, LLC, a Delaware limited liability company,	
22		
23	Defendants.	
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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 to Exclude Testimony of	
5	Samsung's Experts;	
6	2. Exhibits to the Declaration of Jason R. Bartlett in Support of Apple's Motion to	
7	Exclude Testimony of Samsung's Experts ("Bartlett Declaration") that have been designated	
8	confidential as set forth below; and	
9	3. The confidential, unredacted version of the Declaration of Russell S. Winer in	
10	Support of Apple's Motion to Exclude Testimony of Apple's Experts, and Exhibit 1 to the Winer	
11	Declaration.	
12	Exhibits 1, 22-23, 25, and 26 to the Bartlett Declaration and Paragraphs 25, 26, and 28 of	
13	the Winer Declaration contain information that is highly confidential as set out in the Declaration	
14	of Cyndi Wheeler in Support of Apple's Administrative Motion to File Documents Under Seal re	
15	Apple's Motion to Exclude Testimony of Samsung's Experts ("Wheeler Decl."), filed herewith	
16	under seal. It is Apple's policy not to disclose or describe to third parties its confidential design,	
17	trade secrets, or product development. (Wheeler Decl. \P 5.) The Apple-confidential material in	
18	Exhibits 1, 22-23, 25, and 26 to the Bartlett Declaration relate to such trade secret information, as	
19	detailed in the Wheeler Declaration. (Id. \P 2.) This information is highly confidential to Apple.	
20	(Id.) The information described above could be used by Apple's competitors to Apple's	
21	disadvantage if disclosed publicly. (Id.) The relief requested in this motion is necessary and is	
22	narrowly tailored to protect confidential information, focusing only on specific portions of the	
23	documents at issue. (Id. ¶¶ 2-6.)	
24	Exhibits 3, 4, 8, 11, 13, 15, 16, 24, and 27 to the Bartlett Declaration, and the entire Winer	
25	Declaration including Exhibit 1, contain materials and refer to information that Samsung has	
26	designated as confidential under the protective order entered in this case. Apple expects that	
27	pursuant to Civil Local Rule 79-5(d), Samsung will file a declaration seeking to establish good	
28	cause to permit the sealing of these materials.	
	APPLE INC.'S ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL CASE NO. 11-CV-01846-LHK sf- 3147738	

1	The unredacted versions of Exhibits 1, 9, and 10 to the Bartlett Declaration contain	
2	materials that Samsung has designated as confidential under the protective order entered in this	
3	case. Samsung has provided Apple with specific instructions as to which portions of these	
4	documents should be submitted under seal and which may be filed publicly. Apple expects that	
5	pursuant to Civil Local Rule 79-5(d), Samsung will file a declaration seeking to establish good	
6	cause to permit the sealing of these materials.	
7	Exhibits 17 through 23 to the Bartlett Declaration contain damages- and survey-related	
8	expert materials, which the parties have stipulated should be submitted to the Court under seal	
9	and not placed on the public record. (Wheeler Decl. \P 2.)	
10	Pursuant to Civil Local Rule 79-(c), Apple will lodge with the Clerk the documents at	
11	issue with the sealable portions highlighted.	
12		
13	Dated: May 17, 2012 MORRISON & FOERSTER LLP	
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15	By: <u>/s/ Alison M. Tucher</u> ALISON M. TUCHER	
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17	Attorneys for Plaintiff APPLE INC.	
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	APPLE INC.'S ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL CASE NO. 11-CV-01846-LHK sf- 3147738	