

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., a
Korean corporation; SAMSUNG
ELECTRONICS AMERICA, INC., a New
York corporation; and SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,

Defendants.

Case No. 11-cv-01846-LHK

**[PROPOSED] ORDER GRANTING
SAMSUNG'S ADMINISTRATIVE
MOTION TO FILE DOCUMENTS
UNDER SEAL RE SAMSUNG'S
MOTION FOR SUMMARY
JUDGMENT**

1 Defendants Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., and
2 Samsung Telecommunications America, LLC (collectively, “Samsung”) filed Samsung’s
3 Administrative Motion to File Documents Under Seal on May 17, 2012 (D.N. 930) in support of
4 Samsung’s Motion for Summary Judgment. Pursuant to Civil L.R. 79-5(d), Samsung moved to
5 seal certain documents designated as “CONFIDENTIAL” and “HIGHLY CONFIDENTIAL
6 ATTORNEYS’ EYES ONLY” by plaintiff Apple Inc. (“Apple”) under the interim protective
7 order for the Northern District of California. Also pursuant to Civil L.R. 79-5(d), for the purpose
8 of establishing that the designated information is sealable, Apple filed the Declaration of Cyndi
9 Wheeler in Support of Sealing Samsung’s Motion for Summary Judgment (“Wheeler
10 Declaration”) and the Declaration of Mark D. Selwyn in Support of Sealing Samsung’s Motion
11 for Summary Judgment (“Selwyn Declaration”). The Wheeler and Selwyn Declarations provide
12 sufficient evidence that the documents and information designated as confidential by Apple, and
13 filed under seal by Samsung, are “privileged or protectable as a trade secret or otherwise entitled
14 to protection under the law,” and thus sealable. Civil L.R. 79-5(a).

15 Accordingly, IT IS HEREBY ORDERED that the following documents shall be filed
16 under seal, as and to the extent described in the Wheeler and Selwyn Declarations:

- 17 • Exhibits 3, 15, 37, 38-39, 42-45, 49, 51-52, 55-58, 60-61, 63, 66-71, 72a-i, 73-74, 78-79,
18 and 82 to the Declaration of Brett Arnold in Support of Samsung’s Motion for Summary
19 Judgment;
- 20 • Exhibits 9-10, 16, and 18-20 to the Declaration of Brian von Herzen in Support of
21 Samsung’s Motion for Summary Judgment;
- 22 • Exhibits 9 and 11 to the Declaration of Stephen Gray in Support of Samsung’s Motion for
23 Summary Judgment;
- 24 • The confidential, unredacted versions of Samsung’s Motion for Summary Judgment, the
25 Declaration of Brett Arnold in Support of Samsung’s Motion for Summary Judgment, the
26 Declaration of Brian von Herzen in Support of Samsung’s Motion for Summary
27 Judgment, the
28 Declaration of Brian von Herzen in Support of Samsung’s Motion for Summary

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Judgment, and the Declaration of Stephen Gray in Support of Samsung’s Motion for
Summary Judgment, which include information from the documents discussed above.

IT IS SO ORDERED.

Dated: _____

Hon. Lucy H. Koh
United States District Judge