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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 SAMSUNG'S
ADMINISTRATIVE MOTION TO
FILE DOCUMENTS UNDER
SEAL RE SAMSUNG'S MOTION
TO STRIKE EXPERT
TESTIMONY**

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. Samsung’s Motion to Strike Expert Testimony (“Samsung’s Motion to Strike”),
7 the Declaration of Christopher E. Price in Support of Samsung’s Motion to Strike (“Price
8 Declaration”), the Declaration of James Ward in Support of Samsung’s Motion to Strike (“Ward
9 Declaration”), and Exhibits to the Price and Ward Declarations contain information that Apple,
10 Samsung or third parties have designated confidential. Specifically:

11 A. Exhibit L to the Ward Declaration is an excerpt from the Expert Report of
12 Tony D. Givargis, Ph.D. Regarding Invalidity of the Asserted Claims of
13 U.S. Patent No. 7,698,711. Exhibit L contains redactions supplied by
14 Samsung’s counsel. In addition to those redactions, paragraph 99 of Apple
15 Expert Tony Givargis’s Expert Report contains confidential information
16 supplied by third party Sony Ericsson. A proposed redacted version is
17 attached hereto as Exhibit 1.

18 B. Exhibit O to the Price Declaration is an excerpt from the deposition of
19 Samsung Expert Vincent O’Brien, held on April 20, 2012. This transcript
20 was designated Highly Confidential-Attorneys’ Eyes Only in accordance
21 with the Protective Order entered in this Action by Apple. The deposition
22 includes confidential information regarding Apple licenses. A proposed
23 redacted version is attached hereto as Exhibit 2.

24 C. The confidential, unredacted version of Samsung’s Motion to Strike
25 discusses and references the information contained in paragraphs A-B
26 above, and should therefore be sealed for the same reasons.

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

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 24th day of May, 2012, at Palo Alto, California.

Dated: May 24, 2012

By: /s/ Mark D. Selwyn
Mark D. Selwyn

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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 24, 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

ATTESTATION OF E-FILED SIGNATURE

I, Jason R. Bartlett, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Mark D. Selwyn has concurred in this filing.

Dated: May 24, 2012

By: /s/ Jason R. Bartlett
Jason R. Bartlett