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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 APPLE INC., a California corporation,

12 Plaintiff,

13 v.

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

18 Defendants.

Case No. 11-cv-01846-LHK

**[PROPOSED] ORDER GRANTING  
SAMSUNG'S ADMINISTRATIVE  
MOTION TO FILE DOCUMENTS  
UNDER SEAL RE SAMSUNG'S  
MOTION TO STRIKE EXPERT  
TESTIMONY**

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. 934) in support of  
4 Samsung’s Motion to Strike Expert Testimony Based on Undisclosed Facts and Theories  
5 (“Motion to Strike”). Pursuant to Civil L.R. 79-5(d), Samsung moved to seal certain documents  
6 designated as “CONFIDENTIAL” and “HIGHLY CONFIDENTIAL ATTORNEYS’ EYES  
7 ONLY” by plaintiff Apple Inc. (“Apple”) under the interim protective order for the Northern  
8 District of California. Also pursuant to Civil L.R. 79-5(d), for the purpose of establishing that the  
9 designated information is sealable, Apple filed the Declaration of Cyndi Wheeler in Support of  
10 Sealing Samsung’s Motion to Strike (“Wheeler Declaration”) and the Declaration of Mark D.  
11 Selwyn in Support of Sealing Samsung’s Motion to Strike (“Selwyn Declaration”). The Wheeler  
12 and Selwyn Declarations provide sufficient evidence that the documents and information  
13 designated as confidential by Apple, and filed under seal by Samsung, are “privileged or  
14 protectable as a trade secret or otherwise entitled to protection under the law,” and thus sealable.  
15 Civil L.R. 79-5(a).

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

- 18 • Exhibits E, H, K, L, T, O, U, V, and X to the Declaration of James Ward in Support of  
19 Samsung’s Motion to Strike;
- 20 • Exhibits B, C, D, E, F, H, I, K, L, M, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, BB, CC,  
21 DD, FF and GG to the Declaration of Christopher Price in Support of Samsung’s Motion  
22 to Strike; and
- 23 • The confidential, unredacted versions of Samsung’s Motion to Strike Expert Testimony,  
24 the Declaration of Christopher E. Price in Support of Samsung’s Motion to Strike, and the  
25 Declaration of James Ward in Support of Samsung’s Motion to Strike, which include  
26 information from the documents discussed above.  
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**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Hon. Lucy H. Koh  
United States District Judge