

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE, INC., a California corporation,)	Case No.: 12-CV-00630-LHK
)	
Plaintiff and Counterdefendant,)	ORDER ON SAMSUNG'S
)	OBJECTIONS TO APPLE'S
v.)	DISCLOSURES
)	
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 and Counterclaimants.)	
)	

On April 9, 2014, Samsung filed objections to Apple's disclosures. ECF Nos. 1639-3, 1647. On April 9, 2014, Apple filed a response. ECF No. 1637-3. After reviewing the parties' briefing, considering the record in the case, and balancing the considerations set forth in Federal Rule of Evidence 403, the Court rules on Samsung's objections as follows:

SAMSUNG OBJECTION	COURT'S RULING ON OBJECTION
A. Thomas Bonura	
12/11/12 Dep. Tr. at 26:8-10 & 26:13-27:1	Overruled.
12/11/12 Dep. Tr. at 156:15-20, 156:23-158:3,	Overruled.

1	158:6-160:12	
2	B. Cary Clark	
3	Ex. 5 to June 25, 2013 Dep. of Cary Clark	Overruled; the document may be used solely for refreshing recollection if necessary, but will not be admitted as an exhibit.
4	C. Dianne Hackborn	
5	Ex. 4 to June 18, 2013 Dep. of Dianne Hackborn	Overruled; the document may be used solely for refreshing recollection if necessary, but will not be admitted as an exhibit.
6	Ex. 5 to June 25, 2013 Dep. of Cary Clark	Overruled; the document may be used solely for refreshing recollection if necessary, but will not be admitted as an exhibit.
7	D. Hiroshi Lockheimer	
8	PX212	Overruled.
9	PX221	Overruled.
10	ECF No. 221	Sustained.
11	E. Dale Sohn	
12	PX147	Overruled.
13	PX227	Overruled.
14	ECF No. 221	Sustained.

Samsung also requests to seal various documents. ECF Nos. 1639-3, 1639-9, 1651.

Having considered Samsung's requests, and compelling reasons having been shown, the Court seals the following documents as follows:

Exhibit and pages requested to be sealed	COURT'S RULING ON SEALING REQUEST
PX202: page 11	GRANTED.
PX229 in its entirety	DENIED without prejudice. By 7:30 A.M., April 11, 2014, Samsung must identify specific portions that warrant sealing, such as "pricing terms, royalty rates, and guaranteed minimum payment terms." <i>In re Elec. Arts</i> , 298 Fed. App'x 568, 569-70 (9th Cir. 2008).
PX242 in its entirety	GRANTED as to pages 5-32.
PDX88: Slides .18A, .19A, .20, .22-.24, .26-.33, .35	GRANTED.
PX164: pages 3-7, 18, 20-24, if not used during a witness examination	GRANTED.
PX165: pages 3-7, 17, 19-22, if not used during a witness examination	GRANTED.
PX200: pages 71-81, if not used during a witness examination	GRANTED.
PX203: pages 3 & 7, if not used during a witness examination	GRANTED.
PX212 in its entirety	GRANTED.
PX221 in its entirety	GRANTED.

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PX227 in its entirety	GRANTED.
PX336 in its entirety	GRANTED.

In light of the parties' briefing regarding PX137 (ECF Nos. 1643, 1644), PX137B (filed as ECF No. 1643-1 on April 9, 2014) shall be admitted, but not to prove the truth of any matter asserted therein.

IT IS SO ORDERED.

Dated: April 10, 2014



LUCY H. KOH
United States District Judge