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

Defendants.

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,

Counterclaim-Plaintiffs,

v.

APPLE INC., a California corporation,

Counterclaim-Defendant.

CASE NO. 12-cv-00630-LHK (PSG)

**DECLARATION OF CYNDI WHEELER
 REGARDING SAMSUNG'S
 ADMINISTRATIVE MOTION TO FILE
 DOCUMENTS UNDER SEAL
 (DECLARATION OF SCOTT L. WATSON
 IN SUPPORT OF SAMSUNG'S
 OPPOSITION TO APPLE'S MOTION FOR
 PRELIMINARY INJUNCTION)**

WHEELER DECLARATION RE SAMSUNG'S
 ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL
 12-CV-00630-LHK (PSG)

I, Cyndi Wheeler, declare and state as follows:

1 1. I am an attorney at Apple Inc. (“Apple”). Pursuant to Local Rules 7-11 and 79-5, I
2 submit this Declaration in connection with Defendants Samsung Electronics Co., Ltd., Samsung
3 Electronics America, Inc., and Samsung Telecommunications America, LLC’s (collectively,
4 “Samsung”) Administrative Motion to file Documents Under Seal to confirm that certain supporting
5 Exhibits to the Declaration of Scott L. Watson In Support of Samsung’s Opposition to Apple’s
6 Motion for Preliminary Injunction (the “Watson Declaration”), are confidential and sealable. I have
7 personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and
8 would competently testify to them under oath.

9 2. The requested relief is necessarily and narrowly tailored to protect the confidentiality
10 of the information contained in the following exhibits to the Watson Declaration.

11 3. Exhibits B, C, and D to the Watson Declaration contain or otherwise reflect
12 confidential, proprietary market research and analysis prepared by or for Apple, as well as internal
13 analysis of such market research and analysis. Apple designated each of these documents as
14 “HIGHLY CONFIDENTIAL-ATTORNEYS’ EYES ONLY” under the Protective Order. These
15 documents reflect Apple’s confidential business and marketing strategy, including information
16 pertaining to confidential Apple customer surveys and the competitive landscape for mobile devices.
17 Furthermore, these documents, and Exhibits C and D in particular, reveal Apple’s internal choices of
18 what market research upon which it will rely or otherwise use, as well as its conclusions regarding
19 the significance of such information. The business information contained in each of Exhibits B, C,
20 and D was created at significant cost to Apple and could be used by Apple’s competitors to its
21 disadvantage, particularly as it discusses Apple’s marketing strategy. It is Apple’s practice and
22 policy to maintain the confidentiality of this information; Apple does not disclose or comment on
23 even speculation about its business practices and market analysis.

24 4. Exhibit F to the Watson Declaration contains Apple’s confidential information about
25 its sales and revenues regarding its iPhone products. Apple designated this document as “HIGHLY
26 CONFIDENTIAL-ATTORNEYS’ EYES ONLY” under the Protective Order, as it provides detailed,
27 commercially sensitive, internal data regarding such sales and revenues. It is Apple’s practice and
28 policy to maintain the confidentiality of the business information contained in Exhibit F, as it could

1 be used by Apple's competitors to its disadvantage, particularly to the extent that such data reflects
2 Apple's internal strategy regarding its product releases.

3 5. Exhibits B, C, D, and F to the Watson Declaration thus should remain under seal for
4 the reasons articulated above.

5 I declare under the penalty of perjury under the laws of the United States of America that the
6 forgoing is true and correct to the best of my knowledge.

7 Dated: June 8, 2012

By: /s/ Cyndi Wheeler
 Cyndi Wheeler

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Civil 5 Local Rule 5.4, and will be served on all counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC who have consented to electronic service in accordance with Civil Local Rule 5.4 via the Court's ECF system.

Date: June 8, 2012

By: /s/ Mark Lyon

H. Mark Lyon