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15 Attorneys for SAMSUNG ELECTRONICS CO.,  
LTD., SAMSUNG ELECTRONICS AMERICA,  
16 INC. and SAMSUNG  
TELECOMMUNICATIONS AMERICA, LLC  
17

18 UNITED STATES DISTRICT COURT

19 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

20 APPLE INC., a California corporation,  
21

22 Plaintiff,

23 vs.

24 SAMSUNG ELECTRONICS CO., LTD., a  
Korean business entity; SAMSUNG  
ELECTRONICS AMERICA, INC., a New  
25 York corporation; SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
26 LLC, a Delaware limited liability company,

27 Defendants.  
28

CASE NO. 11-cv-01846-LHK

**DECLARATION OF JAMES SHIN IN  
SUPPORT OF SAMSUNG'S  
ADMINISTRATIVE MOTION TO FILE  
DOCUMENTS UNDER SEAL**

1 I, James Shin, declare:

2 1. I am Senior Legal Counsel at Samsung Electronics Co., Ltd. (“SEC”). I have  
3 personal knowledge of the facts set forth in this declaration, except as otherwise noted, and, if  
4 called as a witness, could and would testify to those facts under oath.

5 2. I submit this declaration in support of Samsung’s Administrative Motion to File  
6 Under Seal Exhibit 2 to the Declaration of Anthony P. Alden in Support of Samsung’s  
7 Administrative Motion for Relief from April 29, 2013 Case Management Order (“Exhibit 2”).

8 3. Exhibit 2 consists of excerpts from the June 24, 2013 Expert Report of Julie L.  
9 Davis, CPA. I have reviewed a partially redacted version of Exhibit 2 that excludes Apple’s  
10 confidential information. Samsung considers the product-specific profit data included in Exhibit 2  
11 to be highly confidential, including detailed information about revenues, profits, and profit  
12 margins on various Samsung products.

13 4. Samsung does not report the type of product-specific revenue, profit or margin data  
14 included in Exhibit 2 to investors, regulatory bodies, the press, or business analysts. This type of  
15 information is highly confidential to Samsung and Samsung takes extraordinary steps to maintain  
16 the secrecy of the information. Even within Samsung’s finance and accounting groups, such data  
17 can only be accessed by certain personnel on a restricted, need-to-know basis. This type of data  
18 guides Samsung’s pricing, distribution, financial planning, and other business decisions.

19 5. Samsung’s financial data was produced in this case to Apple’s outside counsel and  
20 experts for the sole purpose of calculating supposed damages and were marked “Highly  
21 Confidential – Attorneys’ Eyes Only” under the Protective Order. Samsung took special  
22 precautions when producing detailed financial data, including restricting the distribution of soft  
23 copies, copying, and inspection.

24 6. Product-specific profit data are far more sensitive and confidential than company-  
25 wide financial statements because they can be used to determine the lowest price at which  
26 Samsung can profitably sell its products. Armed with that information, a competitor could charge  
27 a lower price in an effort to gain market share. Competitors could also use knowledge of

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1 Samsung's highest- and lowest-performing product lines to target marketing and advertising  
2 efforts.

3 7. Suppliers could use the same information as leverage to negotiate higher prices for  
4 components, and carrier and retail partners would be able to leverage knowledge of Samsung's  
5 margins to negotiate lower prices for Samsung's smart phone and tablet products.

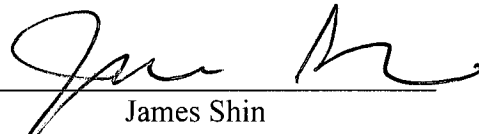
6 8. For the foregoing reasons, Samsung requests that the portions of Exhibit 2  
7 identified in Exhibit A to the Declaration of Anthony Alden in Support of Samsung's  
8 Administrative Motion to File Documents Under Seal be sealed.

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10 I declare under penalty of perjury of the laws of the United States that the foregoing is true  
11 and correct. Executed in Suwon, South Korea on July 9, 2013.

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James Shin

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