

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ELM 3DS INNOVATIONS, LLC,)	
)	
Plaintiff,)	
)	C.A. No. 14-01430-LPS
v.)	
)	
SAMSUNG ELECTRONICS CO., LTD.,)	
SAMSUNG SEMICONDUCTOR, INC.,)	
SAMSUNG ELECTRONICS AMERICA, INC.,)	
AND SAMSUNG AUSTIN SEMICONDUCTOR,)	
LLC,)	
)	
Defendants.)	
_____)	
ELM 3DS INNOVATIONS, LLC,)	
)	
Plaintiff,)	
)	C.A. No. 14-01431-LPS
v.)	
)	
MICRON TECHNOLOGY, INC.; MICRON)	
SEMICONDUCTOR PRODUCTS, INC.; AND)	
MICRON CONSUMER PRODUCTS GROUP,)	
INC.,)	
)	
Defendants.)	
_____)	
ELM 3DS INNOVATIONS, LLC,)	
)	
Plaintiff,)	C.A. No. 14-01432-LPS
)	
v.)	
)	
SK HYNIX INC., SK HYNIX AMERICA INC.,)	
HYNIX SEMICONDUCTOR)	
MANUFACTURING AMERICA INC., AND SK)	
HYNIX MEMORY SOLUTIONS INC.,)	
)	
Defendants.)	
_____)	

SUPPLEMENTAL PROTECTIVE ORDER

WHEREAS, the Court has entered Stipulated Protective Orders (the “Protective Orders”) governing the disclosure of confidential materials in the above-referenced matters (C.A. No. 14-01430-LPS D.I. 117; C.A. No. 14-01431-LPS D.I. 71; C.A. No. 14-01432-LPS D.I. 112);

WHEREAS, on August 19, 2020, Plaintiff Elm 3DS Innovations, LLC (“Elm”) moved to compel certain documents from Defendants (C.A. No. 14-01430-LPS D.I. 322; C.A. No. 14-01431-LPS D.I. 280; C.A. No. 14-01432-LPS D.I. 295);

WHEREAS, on August 25, 2020, non-party Apple Inc. (“Apple”) filed its objection to the production of certain Apple Confidential Information unless supplemental conditions were placed on such production (C.A. No. 14-01430-LPS D.I. 324; C.A. No. 14-01431-LPS D.I. 282; C.A. No. 14-01432-LPS D.I. 297); and

WHEREAS, on August 28, 2020, the Court issued an Oral Order requiring that any production of Apple Confidential Information is produced subject to the protections sought by non-party Apple and invited Apple to seek incorporation of the Oral Order into a formal Protective Order (C.A. No. 14-01430-LPS D.I. 327; C.A. No. 14-01431-LPS D.I. 284; C.A. No. 14-01432-LPS D.I. 299);

By reason of the foregoing, it is ORDERED that the Apple Confidential Information is subject to the terms of this Supplemental Protective Order:

1. Disclosure of Apple Confidential Information. To the extent that a party seeks to disclose any Apple Confidential Information to any individual pursuant to Sections I.A.5.b (regarding experts or consultants) or I.A.5.f (regarding “any other person”) of the operative Protective Orders, the parties shall afford Apple the same notice, disclosure, and consent rights as provided to a producing party under the Protective Orders.

2. Exhibit List. The parties shall notify Apple should any Apple Confidential Information appear on any party’s trial exhibit list; and

3. Use of Apple Confidential Information at Hearing or at Trial. The parties shall use reasonable efforts to seal the courtroom and redact any related transcript should the Apple Confidential Information be discussed at hearing or at trial; or provide Apple with reasonable notice before such information is used so that Apple may intervene.

FARNAN LLP

/s/ Brian E. Farnan

Brian E. Farnan (#4089)
Michael J. Farnan (#5165)
919 North Market Street 12th Floor
Wilmington, DE 19801
(302) 777-0300
bfarnan@farnanlaw.com
mfarnan@farnanlaw.com

Attorneys for Plaintiff

RICHARDS LAYTON & FINGER, P.A.

/s/ Tyler E. Cragg

Frederick L. Cottrell, III (#2555)
Travis S. Hunter (#5350)
Tyler E. Cragg (#6398)
920 North King Street
One Rodney Square
Wilmington, DE 19801
(302) 651-7700
cottrell@rlf.com
hunter@rlf.com
cragg@rlf.com

*Attorneys for Defendant Micron Technology,
Inc., Micron Semiconductor Products, Inc.,
and Micron Consumer Products Group, Inc.*

POTTER ANDERSON & CORROON LLP

/s/ Alan R. Silverstein

David E. Moore (#3983)
Alan R. Silverstein (#5066)
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, DE 19801
(302) 984-6000
dmoore@potteranderson.com
asilverstein@potteranderson.com

Attorneys for Non-party Apple Inc.

YOUNG CONAWAY STARGATT &
TAYLOR, LLP

/s/ Adam W. Poff

Adam W. Poff (#3990)
Pilar G. Kraman (#5199)
Rodney Square
1000 North King Street
Wilmington, DE 19801
(302) 571-6600
apoff@ycst.com
pkraman@ycst.com

*Attorneys For Defendants Samsung
Electronics Co., Ltd., Samsung
Semiconductor, Inc., Samsung Electronics
America, Inc., and Samsung Austin
Semiconductor, LLC*

GREENBERG TRAURIG, LLP

/s/ Benjamin J. Schladweiler

Benjamin J. Schladweiler (#4601)

The Nemours Building

1007 North Orange Street, Suite 1200

Wilmington, DE 19801

(302) 661-7352

schladweilerb@gtlaw.com

*Attorneys for Defendants SK hynix Inc., SK
hynix America Inc., Hynix Semiconductor
Manufacturing America Inc., and SK Hynix
Memory Solutions Inc.*

Dated: September 8, 2020
6862458

IT IS SO ORDERED this 11th day of September, 2020.



JENNIFER L. HALL

UNITED STATES MAGISTRATE JUDGE