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3 **UNITED STATES DISTRICT COURT**  
4 **NORTHERN DISTRICT OF CALIFORNIA**  
5 **SAN JOSE DIVISION**

6  
7 ASIF KUMANDAN, et al.,

8 Plaintiffs,

9 v.

10 GOOGLE LLC, et al.,

11 Defendants.

Case No. 19-cv-04286-BLF

**ORDER GRANTING IN PART AND  
DENYING IN PART GOOGLE'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL PORTIONS OF ITS  
OPPOSITION TO PLAINTIFFS'  
MOTION FOR CLASS  
CERTIFICATION AND SUPPORTING  
DECLARATIONS AND EXHIBITS**

[Re: ECF No. 271]

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15 Before the Court is Defendants Google LLC and Alphabet Inc.'s (collectively "Google")  
16 administrative motion to file under seal portions of Defendants' Opposition to Plaintiffs' Motion  
17 for Class Certification ("Opposition") and supporting declarations and exhibits. *See* ECF No. 271.  
18 The Court has considered the motion and supporting declaration. For the following reasons, the  
19 motion is GRANTED IN PART AND DENIED IN PART.

20 **I. LEGAL STANDARD**

21 "Historically, courts have recognized a 'general right to inspect and copy public records  
22 and documents, including judicial records and documents.'" *Kamakana v. City and Cnty. of*  
23 *Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc'ns, Inc.*, 435  
24 U.S. 589, 597 & n.7 (1978)). Consequently, access to motions and their attachments that are  
25 "more than tangentially related to the merits of a case" may be sealed only upon a showing of  
26 "compelling reasons" for sealing. *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092,  
27 1101–102 (9th Cir. 2016). Filings that are only tangentially related to the merits may be sealed  
28 upon a lesser showing of "good cause." *Id.* at 1097.

1 In addition, in this district, all parties requesting sealing must comply with Civil Local  
2 Rule 79-5. That rule requires that the moving party to provide “the reasons for keeping a  
3 document under seal, including an explanation of: (i) the legitimate private or public interests that  
4 warrant sealing; (ii) the injury that will result if sealing is denied; and (iii) why a less restrictive  
5 alternative to sealing is not sufficient.” Civ. L.R. 79-5(c)(1)(i). The rule also requires the moving  
6 party to provide “evidentiary support from declarations where necessary.”

7 Civ. L.R. 79-5(c)(1)(ii).

## 8 II. DISCUSSION

9 This Court previously determined “that the compelling reasons standard applies to motions  
10 to seal documents relating to class certification.” *Adtrader, Inc. v. Google LLC*, No. 17-CV-  
11 07082-BLF, 2020 WL 6391210, at \*2 (N.D. Cal. Mar. 24, 2020).

12 Google contends that the information it seeks to seal includes confidential and highly  
13 sensitive proprietary and commercial information about (1) the operation of Google Assistant; (2)  
14 competitively sensitive business opportunities and risks; and (3) details of Google’s understanding  
15 of the profits or losses associated with Google Assistant. *See* Beaufays Decl. 12, ECF 95-1.  
16 Google seeks to file this information under seal because public disclosure would result in  
17 significant competitive harm to Google by giving third parties, including other companies who  
18 make similar technology, insight into confidential and sensitive aspects of Google’s development  
19 of Google Assistant and the financial implications of that development. *Id.* Plaintiffs do not  
20 oppose Google’s request.

21 The Court finds that Google has met the “compelling reasons” standard for sealing  
22 technical information about the operation of Google Assistant and financial information  
23 concerning Google’s business opportunities and risks and profits and losses because release of the  
24 information would threaten Google’s competitive interests. *See In re Elec. Arts, Inc.*, 298 F.  
25 App’x 568, 569 (9th Cir. 2008) (ordering sealing where documents could be used ““as sources of  
26 business information that might harm a litigant’s competitive standing””) (quoting *Nixon v.*  
27 *Warner Commc’ns, Inc.*, 435 U.S. 589, 598 (1978)); *see also In re Koninklijke Philips Pat. Litig.*,  
28 No. 18-CV-01885-HSG, 2020 WL 1865294 (N.D. Cal. Apr. 13, 2020) (compelling reasons exist

1 to seal information concerning “technical product operation”); *In re Qualcomm Litig.*, No. 3:17-  
2 CV-0108-GPC-MDD, 2017 WL 5176922, at \*2 (S.D. Cal. Nov. 8, 2017).

3 Review of the information Google seeks to seal reveals that some of it does not appear to  
4 be competitively sensitive. The Court therefore finds that Google has not met the compelling  
5 reasons standard for sealing this information.

6 The Court rules as follows on the documents Google seeks to have sealed:

| Exhibit No. & ECF No.  | Document  | Portions to Seal                        | Ruling   |
|--|---|---|--|
| Exhibit AA<br>top Google’s<br>Administrative<br>Motion to File<br>Under Seal<br><br>ECF No.<br>271-2 | Defendants’ Opposition<br>to Plaintiffs’ Motion for<br>Class Certification  | Highlighted portions of<br>the document | GRANTED, as<br>containing confidential<br>and highly sensitive<br>proprietary and<br>commercial information<br>about (1) the operation<br>of Google Assistant; (2)<br>business opportunities<br>and risks; and (3) details<br>of Google’s<br>understanding of the<br>profits or losses<br>associated with Google<br>Assistant. |
| Exhibit AB to<br>Google’s<br>Administrative<br>Motion to File<br>Under Seal<br><br>ECF No.<br>271-3  | Ex. B to the Declaration<br>of Sunita Bali in Support<br>of Defendants’<br>Opposition to Plaintiffs’<br>Motion for Class<br>Certification<br><br>(Summary Chart)          | Document                                | DENIED as overbroad,<br>as Google has not<br>narrowly tailored its<br>sealing request to<br>competitively sensitive<br>or otherwise sealable<br>information.   |
| Exhibit AC to<br>Google’s<br>Administrative<br>Motion to File<br>Under Seal<br><br>ECF No.<br>271-4  | Ex. 1 to the Declaration<br>of Sunita Bali in Support<br>of Defendants’<br>Opposition to Plaintiffs’<br>Motion for Class<br>Certification<br><br>(GOOG-ASST-<br>03026959) | Document                                | GRANTED, as<br>containing confidential<br>and highly sensitive<br>proprietary and<br>commercial information<br>about the operation of<br>Google Assistant.   |
| Exhibit AD to<br>Google’s<br>Administrative  | Ex. 2 to the Declaration<br>of Sunita Bali in Support<br>of Defendants’   | Document                                | GRANTED, as<br>containing confidential<br>and highly sensitive   |

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| 1  | Motion to File Under Seal                                       | Opposition to Plaintiffs' Motion for Class Certification   |          | proprietary and commercial information about the operation of Google Assistant.  |
| 2  | ECF No.   | (GOOG-ASST-  |          |  |
| 3  | 271-5   | 03026660)  |          |  |
| 4  | Exhibit AE to Google's Administrative Motion to File Under Seal | Ex. 3 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of Google Assistant. |
| 5  | ECF No.   | (GOOG-ASST-  |          |  |
| 6  | 271-6   | 03029199)  |          |  |
| 7  | Exhibit AF to Google's Administrative Motion to File Under Seal | Ex. 4 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of Google Assistant. |
| 8  | ECF No.   | (GOOG-ASST-  |          |  |
| 9  | 271-7   | 03034181)  |          |  |
| 10 | Exhibit AG to Google's Administrative Motion to File Under Seal | Ex. 6 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of Google Assistant. |
| 11 | ECF No.   | (GOOG-ASST-  |          |  |
| 12 | 271-8   | 03047476)  |          |  |
| 13 | Exhibit AH to Google's Administrative Motion to File Under Seal | Ex. 7 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of Google Assistant. |
| 14 | ECF No.   | (GOOG-ASST-  |          |  |
| 15 | 271-9   | 03047477)  |          |  |
| 16 | Exhibit AI to Google's Administrative Motion to File Under Seal | Ex. 8 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of                   |
| 17 | ECF No.   | (GOOG-ASST-  |          |  |
| 18 | 271-9   | 03047477)  |          |  |
| 19 | Exhibit AI to Google's Administrative Motion to File Under Seal | Ex. 8 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of                   |
| 20 | ECF No.   | (GOOG-ASST-  |          |  |
| 21 | 271-9   | 03047477)  |          |  |
| 22 | Exhibit AI to Google's Administrative Motion to File Under Seal | Ex. 8 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of                   |
| 23 | ECF No.   | (GOOG-ASST-  |          |  |
| 24 | 271-9   | 03047477)  |          |  |
| 25 | Exhibit AI to Google's Administrative Motion to File Under Seal | Ex. 8 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of                   |
| 26 | ECF No.   | (GOOG-ASST-  |          |  |
| 27 | 271-9   | 03047477)  |          |  |
| 28 | Exhibit AI to Google's Administrative Motion to File Under Seal | Ex. 8 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of                   |

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| 1  | ECF No.<br>271-10   | (GOOG-ASST-03047471)   |          | Google Assistant.  |
| 2  | Exhibit AJ to<br>Google's<br>Administrative<br>Motion to File<br>Under Seal | Ex. 9 to the Declaration<br>of Sunita Bali in Support<br>of Defendants'<br>Opposition to Plaintiffs'<br>Motion for Class<br>Certification  | Document | GRANTED, as<br>containing confidential<br>and highly sensitive<br>proprietary and<br>commercial information<br>about the operation of<br>Google Assistant. |
| 3  | ECF No.<br>271-11   | (GOOG-ASST-03047475)   |          |  |
| 4  | Exhibit AK to<br>Google's<br>Administrative<br>Motion to File<br>Under Seal | Ex. 10 to the<br>Declaration of Sunita<br>Bali in Support of<br>Defendants' Opposition<br>to Plaintiffs' Motion for<br>Class Certification | Document | GRANTED, as<br>containing confidential<br>and highly sensitive<br>proprietary and<br>commercial information<br>about the operation of<br>Google Assistant. |
| 5  | ECF No.<br>271-12   | (GOOG-ASST-03047478)   |          |  |
| 6  | Exhibit AL to<br>Google's<br>Administrative<br>Motion to File<br>Under Seal | Ex. 11 to the<br>Declaration of Sunita<br>Bali in Support of<br>Defendants' Opposition<br>to Plaintiffs' Motion for<br>Class Certification | Document | GRANTED, as<br>containing confidential<br>and highly sensitive<br>proprietary and<br>commercial information<br>about the operation of<br>Google Assistant. |
| 7  | ECF No.<br>271-13   | (GOOG-ASST-03047468)   |          |  |
| 8  | Exhibit AM to<br>Google's<br>Administrative<br>Motion to File<br>Under Seal | Ex. 12 to the<br>Declaration of Sunita<br>Bali in Support of<br>Defendants' Opposition<br>to Plaintiffs' Motion for<br>Class Certification | Document | GRANTED, as<br>containing confidential<br>and highly sensitive<br>proprietary and<br>commercial information<br>about the operation of<br>Google Assistant. |
| 9  | ECF No.<br>271-14   | (GOOG-ASST-03047474)   |          |  |
| 10 | Exhibit AN to<br>Google's<br>Administrative<br>Motion to File<br>Under Seal | Ex. 13 to the<br>Declaration of Sunita<br>Bali in Support of<br>Defendants' Opposition<br>to Plaintiffs' Motion for<br>Class Certification | Document | GRANTED, as<br>containing confidential<br>and highly sensitive<br>proprietary and<br>commercial information<br>about the operation of<br>Google Assistant. |
| 11 | ECF No.<br>271-15   | (GOOG-ASST-03029230)   |          |  |

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| Exhibit AO to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-16 | Ex. 14 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(GOOG-ASST-03029234) | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of Google Assistant.   |
| Exhibit AP to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-17 | Ex. 15 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(GOOG-ASST-03037402) | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of Google Assistant.   |
| Exhibit AQ to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-18 | Ex. 16 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(GOOG-ASST-03034224) | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of Google Assistant.   |
| Exhibit AR to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-19 | Ex. 17 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(GOOG-ASST-03034251) | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of Google Assistant.   |
| Exhibit AS to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-20 | Ex. 20 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(GOOG-ASST-03045688) | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about business opportunities and risks; and details of Google's understanding of the profits or losses associated with Google Assistant. |

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| 1 | Exhibit AT to<br>Google's<br>Administrative<br>Motion to File<br>Under Seal | Ex. 21 to the<br>Declaration of Sunita<br>Bali in Support of<br>Defendants' Opposition<br>to Plaintiffs' Motion for<br>Class Certification | Document                                 | GRANTED, as<br>containing confidential<br>and highly sensitive<br>proprietary and<br>commercial information<br>about business<br>opportunities and risks;<br>and details of Google's<br>understanding of the<br>profits or losses<br>associated with Google<br>Assistant.         |
| 2 | ECF No.<br>271-21   | (GOOG-ASST-<br>03045664)   |  |   |
| 3 | Exhibit AU to<br>Google's<br>Administrative<br>Motion to File<br>Under Seal | Ex. 22 to the<br>Declaration of Sunita<br>Bali in Support of<br>Defendants' Opposition<br>to Plaintiffs' Motion for<br>Class Certification | Document                                 | GRANTED, as<br>containing confidential<br>and highly sensitive<br>proprietary and<br>commercial information<br>about business<br>opportunities and risks;<br>and details of Google's<br>understanding of the<br>profits or losses<br>associated with Google<br>Assistant.         |
| 4 | ECF No.<br>271-22   | (GOOG-ASST-<br>03045605)   |  |   |
| 5 | Exhibit AV to<br>Google's<br>Administrative<br>Motion to File<br>Under Seal | Ex. 23 to the<br>Declaration of Sunita<br>Bali in Support of<br>Defendants' Opposition<br>to Plaintiffs' Motion for<br>Class Certification | Blue highlighted<br>portions of document | GRANTED, as<br>containing confidential<br>and highly sensitive<br>proprietary and<br>commercial information<br>about (1) business<br>opportunities and risks;<br>and (2) details of<br>Google's understanding<br>of the profits or losses<br>associated with Google<br>Assistant. |
| 6 | ECF No.<br>271-23   | (Portions of Defendants'<br>Supplemental Responses<br>to Plaintiffs'<br>Interrogatories)   |  |   |
| 7 | Exhibit AW to<br>Google's<br>Administrative<br>Motion to File<br>Under Seal | Ex. 53 to the<br>Declaration of Sunita<br>Bali in Support of<br>Defendants' Opposition<br>to Plaintiffs' Motion for<br>Class Certification | Document                                 | GRANTED, as<br>containing confidential<br>and highly sensitive<br>proprietary and<br>commercial information<br>about the operation of<br>Google Assistant.  |
| 8 | ECF No.<br>271-24   | (GOOG-ASST-<br>00001318)   |  |   |
| 9 | Exhibit AX to<br>Google's<br>Administrative                                 | Ex. 54 to the<br>Declaration of Sunita<br>Bali in Support of   | Document                                 | GRANTED, as<br>containing confidential<br>and highly sensitive  |

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| 1  | Motion to File Under Seal                                       | Defendants' Opposition to Plaintiffs' Motion for Class Certification  |          | proprietary and commercial information about (1) the operation of Google Assistant and (2) business opportunities and risks.  |
| 2  | ECF No.   | (GOOG-ASST-   |          |   |
| 3  | 271-25  | 00025975)   |          |   |
| 4  | Exhibit AY to Google's Administrative Motion to File Under Seal | Ex. 55 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about (1) the operation of Google Assistant and (2) business opportunities and risks. |
| 5  | ECF No.   | (GOOG-ASST-   |          |   |
| 6  | 271-26  | 00034266)   |          |   |
| 7  | Exhibit AZ to Google's Administrative Motion to File Under Seal | Ex. 56 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about (1) the operation of Google Assistant and (2) business opportunities and risks. |
| 8  | ECF No.   | (GOOG-ASST-   |          |   |
| 9  | 271-27  | 00213485)   |          |   |
| 10 | Exhibit BA to Google's Administrative Motion to File Under Seal | Ex. 57 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about business opportunities and risks.   |
| 11 | ECF No.   | (GOOG-ASST-   |          |   |
| 12 | 271-28  | 00218676)   |          |   |
| 13 | Exhibit BB to Google's Administrative Motion to File Under Seal | Ex. 58 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about business opportunities and risks.   |
| 14 | ECF No.   | (GOOG-ASST-   |          |   |
| 15 | 271-29  | 00239676)   |          |   |
| 16 | Exhibit BC to Google's Administrative Motion to File Under Seal | Ex. 59 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of  |
| 17 | ECF No.   | (GOOG-ASST-   |          |   |
| 18 | 271-29  | 00239676)   |          |   |
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| ECF No.<br>271-30  | (GOOG-ASST-00250310)  |          | Google Assistant  |
| Exhibit BD to Google's Administrative Motion to File Under Seal<br><br>ECF No.<br>271-31 | Ex. 60 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(GOOG-ASST-03041034)   | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about (1) the operation of Google Assistant and (2) business opportunities and risks. |
| Exhibit BE to Google's Administrative Motion to File Under Seal<br><br>ECF No.<br>271-32 | Ex. 61 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(GOOG-ASST-03047418)   | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about (1) the operation of Google Assistant and (2) business opportunities and risks. |
| Exhibit BF to Google's Administrative Motion to File Under Seal<br><br>ECF No.<br>271-33 | Ex. 62 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(GOOG-ASST-03047490)   | Document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of Google Assistant.  |
| Exhibit BG to Google's Administrative Motion to File Under Seal<br><br>ECF No.<br>271-34 | Ex. 66 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(Excerpts from the deposition of Francoise Beaufays taken on April 12, 2022) | Document | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive or otherwise sealable information.  |
| Exhibit BH to Google's Administrative Motion to File Under Seal<br><br>ECF No.           | Ex. 67 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification   | Document | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive or otherwise sealable information.  |

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| 1  | 271-35  | (Excerpts from the deposition of Francoise Beaufays taken on April 22, 2022)  |          |  |
| 2  |   |   |          |  |
| 3  | Exhibit BI to Google's Administrative Motion to File Under Seal | Ex. 68 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive or otherwise sealable information. |
| 4  | ECF No. 271-36  | (Excerpts from the deposition of Yair Cohen taken on July 15, 2022)   |          |  |
| 5  |   |   |          |  |
| 6  | Exhibit BJ to Google's Administrative Motion to File Under Seal | Ex. 69 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive or otherwise sealable information. |
| 7  | ECF No. 271-37  | (Excerpts from the deposition of Alex Gruenstein taken on May 24, 2022)   |          |  |
| 8  |   |   |          |  |
| 9  | Exhibit BK to Google's Administrative Motion to File Under Seal | Ex. 70 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive or otherwise sealable information. |
| 10 | ECF No. 271-38  | (Excerpts from the deposition of Hailey Crowel taken on July 21, 2022)  |          |  |
| 11 |   |   |          |  |
| 12 | Exhibit BL to Google's Administrative Motion to File Under Seal | Ex. 71 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Document | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive or otherwise sealable information. |
| 13 | ECF No. 271-39  | (Excerpts from the deposition of Hailey Crowel taken on August 10, 2022)  |          |  |
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| Exhibit BM to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-40 | Ex. 72 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(Excerpts from the deposition of Bryan Horling taken on June 13, 2022)   | Document                              | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive or otherwise sealable information. |
| Exhibit BN to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-41 | Ex. 73 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(Excerpts from the deposition of Caroline Kenny taken on April 14, 2022) | Document                              | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive or otherwise sealable information. |
| Exhibit BO to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-42 | Ex. 74 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(Excerpts from the deposition of Ashwin Sunder taken on May 13, 2022)    | Document                              | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive or otherwise sealable information. |
| Exhibit BP to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-43 | Ex. 75 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(Excerpts from the deposition of Terry Tai taken on June 22, 2022)       | Document                              | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive or otherwise sealable information. |
| Exhibit BQ to Google's Administrative Motion to File Under Seal                       | Ex. 82 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for   | Blue highlighted portions of document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information  |

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| 1  | ECF No.<br>271-44   | Class Certification<br><br>(Expert Report of Rene Befurt, PhD)   |   | about (1) business opportunities and risks; and (2) details of Google's understanding of the profits or losses associated with Google Assistant.   |
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| 5  | Exhibit BR to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-45 | Ex. 83 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(Exhibits to the Expert Report of Rene Befurt, PhD)                                     | Document                                  | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about (1) business opportunities and risks; and (2) details of Google's understanding of the profits or losses associated with Google Assistant. |
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| 12 | Exhibit BS to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-46 | Ex. 85 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(Expert Report of Jesse David, PhD.)  | Blue highlighted portions of the document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about (1) business opportunities and risks; and (2) details of Google's understanding of the profits or losses associated with Google Assistant. |
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| 19 | Exhibit BT to Google's Administrative Motion to File Under Seal<br><br>ECF No. 271-47 | Ex. 86 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification<br><br>(Excerpts from the deposition of Rebecca Reed Arthurs Ph.D. taken on September 7, 2022) | Document                                  | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive or otherwise sealable information.   |
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| 26 | Exhibit BU to Google's Administrative Motion to File Under Seal                       | Ex. 87 to the Declaration of Sunita Bali in Support of Defendants' Opposition to Plaintiffs' Motion for  | Document                                  | DENIED as overbroad, as Google has not narrowly tailored its sealing request to competitively sensitive  |
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| 1 | ECF No.<br>271-48   | Class Certification<br><br>(Excerpts from the deposition of Fernando Torres MSc. taken on September 7, 2022)         |                                       | or otherwise sealable information.  |
| 2 | Exhibit BV to Google's Administrative Motion to File Under Seal | Declaration of Francoise Beaufays in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification | Blue highlighted portions of document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about (1) the operation of Google Assistant and (2) business opportunities and risks. |
| 3 | ECF No.<br>271-49   |  |                                       |   |
| 4 | Exhibit BW to Google's Administrative Motion to File Under Seal | Declaration of Nino Tasca in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification         | Blue highlighted portions of document | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about (1) the operation of Google Assistant and (2) business opportunities and risks. |
| 5 | ECF No.<br>271-50   |  |                                       |   |
| 6 | Exhibit BX to Google's Administrative Motion to File Under Seal | Declaration of Yair Cohen in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification         | Document                              | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of Google Assistant.  |
| 7 | ECF No.<br>271-51   |  |                                       |   |
| 8 | Exhibit BY to Google's Administrative Motion to File Under Seal | Declaration of Terry Tai in Support of Defendants' Opposition to Plaintiffs' Motion for Class Certification          | Document                              | GRANTED, as containing confidential and highly sensitive proprietary and commercial information about the operation of Google Assistant.  |
| 9 | ECF No.<br>271-52   |  |                                       |   |

### III. ORDER

For the foregoing reasons, IT IS HEREBY ORDERED that Google's motion is GRANTED IN PART AND DENIED IN PART.

Google SHALL file public redacted versions of Exhibits AV, BQ, BS, BV, and BW to

1 Google's Administrative Motion to File Under Seal (ECF Nos. 271-23, 271-44, 271-46, 271-49,  
2 271-50) by **October 31, 2022**.

3 Exhibit AA to Google's Administrative Motion to File Under Seal (ECF No. 271-2) is  
4 subject to Google's co-pending Administrative Motion to Consider Whether Other Parties'  
5 Materials Should Be Sealed. *See* ECF No. 269. Google SHALL file a public redacted version of  
6 Exhibit AA **within 10 days after the Court issues its order on Google's co-pending motion**,  
7 incorporating any additional redactions the Court permits.

8 As to Exhibits AB, BG-BP, BT, and BU to Google's Administrative Motion to File Under  
9 Seal (ECF Nos. 271-3, 271-34 – 271-43, 271-47, 271-48), Google SHALL file a further  
10 administrative motion to seal these exhibits with proposed narrowly tailored redactions or file the  
11 exhibits to the public docket by **October 31, 2022**.

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13 Dated: October 17, 2022



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15 BETH LABSON FREEMAN  
16 United States District Judge  
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United States District Court  
Northern District of California