

ORIGINAL

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*Proposed order
revised*

CLERK, U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

2009 JUL -6 AM 11: 29

FILED

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 PERFECT 10, INC., a California
13 corporation,
14 Plaintiff,
15 v.
16 GOOGLE, INC., a corporation; et al.,
17 Defendants.

Case No. CV 04-9484 AHM (SHx)
Consolidated with Case No.
CV 05-4753 AHM (SHx)

**APPLICATION TO FILE UNDER
SEAL DOCUMENTS IN SUPPORT OF
PERFECT 10'S MOTION FOR
SUMMARY JUDGMENT AND
SUMMARY ADJUDICATION
AGAINST GOOGLE**

18 AND CONSOLIDATED CASE.

BEFORE JUDGE A. HOWARD MATZ

Date: None Set
Time: None Set
Place: Courtroom 14, Courtroom of the
Honorable A. Howard Matz

Discovery Cut-Off Date: None Set
Pretrial Conference Date: None Set
Trial Date: None Set

28 Application to File Under Seal

1 Pursuant to Local Rule 79-5.1, the Procedures and Schedules of the Hon.
2 Stephen J. Hillman at Paragraph 17, and the Protective Order dated December 27,
3 2005 (Docket No. 94) entered by the Court, Perfect 10, Inc. hereby submits this
4 application to file under seal the following documents:

5 1) **DISK CONTAINING EXHIBIT 9 TO THE DECLARATION OF**
6 **DR. NORMAN ZADA IN SUPPORT OF PERFECT 10'S MOTION FOR**
7 **SUMMARY JUDGMENT AND SUMMARY ADJUDICATION AGAINST**
8 **GOOGLE [DISK ATTACHED]; AND**

9 2) **EXHIBIT G TO THE DECLARATION OF JEFFREY N.**
10 **MAUSNER IN SUPPORT OF PERFECT 10'S MOTION FOR SUMMARY**
11 **JDUGMENT AND SUMMARY ADJUDICATION AGAINST GOOGLE.**

12 The disk contains material designated Confidential and Highly Confidential
13 by defendant Google and designated Confidential by Perfect 10. Exhibit G
14 contains portions of a deposition transcript designated Highly Confidential by
15 Amazon/Alexa. Plaintiff, Perfect 10, Inc. respectfully requests that the above-
16 entitled documents, which have been lodged, be filed under seal.

17 Dated: July 5, 2009

Respectfully submitted,
LAW OFFICES OF JEFFREY N. MAUSNER

19 By: Jeffrey N. Mausner
20 Jeffrey N. Mausner
21 Attorneys for Plaintiff Perfect 10, Inc.

1 **PROOF OF SERVICE**

2 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

3 I am employed in the county of Los Angeles, State of California.

4 I am over the age of 18 and am not a party to the within action; my business
5 address is: 21800 Oxnard Street, Suite 910, Woodland Hills, California 91367

6 On July 5, 2009, I served the foregoing document(s) described as follows:

7 **NOTICE OF LODGING OF DOCUMENTS IN SUPPORT OF PERFECT**
8 **10'S MOTION FOR SUMMARY JUDGMENT AND SUMMARY**
9 **ADJUDICATION AGAINST GOOGLE**

10 **APPLICATION TO FILE UNDER SEAL DOCUMENTS IN SUPPORT OF**
11 **PERFECT 10'S MOTION FOR SUMMARY JUDGMENT AND SUMMARY**
12 **ADJUDICATION AGAINST GOOGLE; AND [PROPOSED] ORDER**

13 on the interested parties in this action by emailing to the address(es) as follows:

14 Rachel Kassabian Mark Jansen
15 rachelkassabian@quinnemanuel.com mtjansen@townsend.com

16 Thomas Nolan Anthony Malutta
17 thomasnolan@quinnemanuel.com ajmalutta@townsend.com

18 Charles Verhoeven Tim Cahn
19 charlesverhoeven@quinnemanuel.com trcahn@townsend.com

20 Michael Zeller Gia Cincone
21 michaelzeller@quinnemanuel.com glcincone@townsend.com

22 **EMAIL:** I transmitted by electronic mail such documents to the above email addresses.

23 **FEDERAL:** I declare that I am employed in the office of a member of the bar of
24 this court at whose direction the service was made. I declare, under penalty of perjury, that the foregoing is true and correct.

25 Executed on **July 5, 2009** at Los Angeles, California.

26
27 BY: Brittany Douglass
28 Brittany Douglass