

**ORIGINAL**

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*Lodged Proposed Order*  
2009 OCT 13 PM 12:07  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES  
*MAD*

**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.

18 AND CONSOLIDATED CASE.

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

**APPLICATION TO FILE UNDER  
SEAL PLEADINGS RE PERFECT  
10'S EVIDENTIARY  
OBJECTIONS AND RESPONSES  
TO GOOGLE'S EVIDENTIARY  
OBJECTIONS RE GOOGLE'S  
THREE MOTIONS FOR  
SUMMARY JUDGEMENT**

**Before Judge A. Howard Matz**

Date: None Set (taken under  
submission)

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  
3 27, 2005 (Docket No. 94) entered by the Court, Plaintiff Perfect 10, Inc.  
4 (“Perfect 10”) hereby submits this application to file under seal the following  
5 documents:

6 **1) PERFECT 10’S EVIDENTIARY OBJECTIONS TO:  
7 DECLARATION AND REBUTTAL DECLARATION OF BILL  
8 BROUGHER IN SUPPORT OF DEFENDANT GOOGLE’S MOTIONS  
9 FOR SUMMARY JUDGMENT RE: GOOGLE’S ENTITLEMENT TO  
10 SAFE HARBOR UNDER 17 U.S.C. §512;**

11 **2) PERFECT 10’S EVIDENTIARY OBJECTIONS TO:  
12 DECLARATION AND REBUTTAL DECLARATION OF SHANTAL  
13 RANDS POOVALA IN SUPPORT OF GOOGLE’S MOTIONS FOR  
14 SUMMARY JUDGMENT RE GOOGLE’S ENTITLEMENT TO SAFE  
15 HARBOR, DOCKET NOS. 467-469, 534 (UNDER SEAL);**

16 **3) PERFECT 10’S EVIDENTIARY OBJECTIONS:  
17 DECLARATION OF PAUL HAAHR IN SUPPORT OF DEFENDANT  
18 GOOGLE’S MOTIONS FOR SUMMARY JUDGMENT RE: GOOGLE’S  
19 ENTITLEMENT TO SAFE HARBOR UNDER 17 U.S.C. §512;**

20 **4) PERFECT 10’S REPLY TO GOOGLE, INC.’S  
21 EVIDENTIARY OBJECTIONS TO THE DECLARATION OF DR.  
22 NORMAN ZADA.**

23 **5) EXHIBITS AA & BB TO THE DECLARATION OF  
24 JEFFREY N. MAUSNER IN SUPPORT OF PERFECT 10’S  
25 EVIDENTIARY OBJECTIONS AND RESPONSES TO GOOGLE’S  
26 EVIDENTIARY OBJECTIONS RE GOOGLE’S THREE MOTIONS  
27 FOR SUMMARY JUDGMENT; and**

28 **6) DECLARATION OF DR. NORMAN ZADA IN SUPPORT OF  
PERFECT 10’S EVIDENTIARY OBJECTIONS AND RESPONSES TO  
GOOGLE’S EVIDENTIARY OBJECTIONS.**

The above documents and exhibits contain materials designated  
Confidential and Highly Confidential by Defendant Google, Inc. Accordingly,  
Perfect 10 respectfully requests that the above-entitled documents, which have  
been lodged with the Court, be filed under seal.

Dated: October 12, 2009

Respectfully submitted,  
LAW OFFICES OF JEFFREY N. MAUSNER

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