

# ORIGINAL

1 Jeffrey N. Mausner (State Bar No. 122385)  
 2 Law Offices of Jeffrey N. Mausner  
 3 Warner Center Towers  
 4 21800 Oxnard Street, Suite 910  
 5 Woodland Hills, California 91367-3640  
 6 Email: Jeff@mausnerlaw.com  
 7 Telephone: (310) 617-8100, (818) 992-7500  
 8 Facsimile: (818) 716-2773

Attorneys for Plaintiff Perfect 10, Inc.

*Lodged Proposed Order*

2009 DEC 14 PM 12: 00

U.S. DISTRICT COURT  
 CENTRAL DISTRICT OF CALIF.  
 LOS ANGELES

*MAD*

FILED

9 UNITED STATES DISTRICT COURT  
 10 CENTRAL DISTRICT OF CALIFORNIA

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

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

**Before Judge A. Howard Matz**

**APPLICATION TO FILE REPLY  
 DOCUMENTS UNDER SEAL IN  
 SUPPORT OF PLAINTIFF  
 PERFECT 10, INC.'S MOTION FOR  
 EVIDENTIARY AND OTHER  
 SANCTIONS AGAINST  
 DEFENDANT GOOGLE INC.  
 AND/OR FOR THE APPOINTMENT  
 OF A SPECIAL MASTER**

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

17 AND CONSOLIDATED CASE.  
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Application to File Reply Documents Under Seal

1 Pursuant to Local Rule 79-5.1, the Order of the Hon. A. Howard Matz re  
2 Protective Orders and Treatment of Confidential Information at Section I.D, the  
3 Procedures and Schedules of the Hon. Stephen J. Hillman at Paragraph 17, and the  
4 Protective Order dated December 27, 2005 (Docket No. 94) entered by the Court,  
5 Plaintiff Perfect 10, Inc. hereby submits this application to file under seal the  
6 following documents:

7 1) **REPLY MEMORANDUM OF POINTS AND AUTHORITIES IN**  
8 **SUPPORT OF MOTION OF PLAINTIFF PERFECT 10, INC. FOR**  
9 **EVIDENTIARY AND OTHER SANCTIONS AGAINST DEFENDANT**  
10 **GOOGLE INC. AND/OR FOR THE APPOINTMENT OF A SPECIAL**  
11 **MASTER, FILED UNDER SEAL PURSUANT TO PROTECTIVE ORDER;**

12 2) **REPLY DECLARATION OF DR. NORMAN ZADA IN**  
13 **SUPPORT OF MOTION OF PLAINTIFF PERFECT 10, INC. FOR**  
14 **EVIDENTIARY AND OTHER SANCTIONS AGAINST DEFENDANT**  
15 **GOOGLE INC. AND/OR FOR THE APPOINTMENT OF A SPECIAL**  
16 **MASTER, FILED UNDER SEAL PURSUANT TO PROTECTIVE ORDER;**

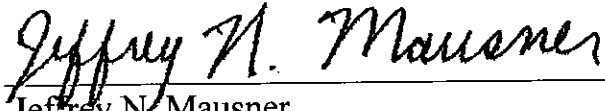
17 3) **EXHIBIT 35 (A DISK) TO THE REPLY DECLARATION OF DR.**  
18 **NORMAN ZADA IN SUPPORT OF MOTION OF PLAINTIFF PERFECT 10,**  
19 **INC. FOR EVIDENTIARY AND OTHER SANCTIONS AGAINST**  
20 **DEFENDANT GOOGLE INC. AND/OR FOR THE APPOINTMENT OF A**  
21 **SPECIAL MASTER [DISK ATTACHED], FILED UNDER SEAL PURSUANT**  
22 **TO PROTECTIVE ORDER; and**

23 4) **DECLARATION OF MARK MCDEVITT.**

24 The documents and disk contain material designated Confidential and Highly  
25 Confidential by Defendant Google Inc. and material designated Confidential by  
26 third-party Recording Industry Association of America (RIAA). Plaintiff Perfect 10,  
27 Inc. respectfully requests that the above-entitled documents, which have been  
28 lodged, be filed under seal.

Dated: December 13, 2009

Respectfully submitted,  
LAW OFFICES OF JEFFREY N. MAUSNER

By:   
Jeffrey N. Mausner

Attorneys for Plaintiff Perfect 10, Inc.