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lodged proposed order

2010 JAN -8 PM 3:00
CENTRAL DISTRICT COURT
LOS ANGELES

FILED

11 UNITED STATES DISTRICT COURT

12 CENTRAL DISTRICT OF CALIFORNIA

13 PERFECT 10, INC., a California
14 corporation,

15 Plaintiff,

16 vs.

17 GOOGLE INC., a corporation; and
DOES 1 through 100, inclusive,

18 Defendants.

CASE NO. CV 04-9484 AHM (SHx)
[Consolidated with Case No. CV 05-
4753 AHM (SHx)]

**GOOGLE INC.'S APPLICATION
TO FILE UNDER SEAL ITS
SURREPLY REGARDING
PERFECT 10, INC.'S MOTION
FOR EVIDENTIARY AND OTHER
SANCTIONS AGAINST GOOGLE
AND/OR FOR THE
APPOINTMENT OF A SPECIAL
MASTER, AND SUPPORTING
DOCUMENTS**

19 AND COUNTERCLAIM

20 PERFECT 10, INC., a California
21 corporation,

22 Plaintiff,

23 vs.

24 AMAZON.COM, INC., a corporation;
A9.COM, INC., a corporation; and
25 DOES 1 through 100, inclusive,

26 Defendants.

Hon. Stephen J. Hillman

Date: January 15, 2010

Time: 10:00 a.m.

Crtrm.: 550

Discovery Cut-off: None Set

Pretrial Conference Date: None Set

Trial Date: None Set

ORIGINAL

1 Pursuant to Local Rule 79-5.1, the Procedures and Schedules of the Hon.
2 Stephen J. Hillman at ¶ 17, and the Protective Order entered by the Court in this
3 action (Docket No. 94), Google Inc. hereby submits this application to file under
4 seal the following documents (the “Confidential Materials”):

- 5 • DEFENDANT GOOGLE INC.’S SURREPLY REGARDING
6 PLAINTIFF PERFECT 10, INC.’S MOTION FOR EVIDENTIARY
7 AND OTHER SANCTIONS AGAINST GOOGLE AND/OR FOR
8 THE APPOINTMENT OF A SPECIAL MASTER; and
- 9 • SURREPLY DECLARATION OF RACHEL HERRICK
10 KASSABIAN IN SUPPORT OF GOOGLE INC.’S SURREPLY
11 REGARDING PERFECT 10, INC.’S MOTION FOR EVIDENTIARY
12 AND OTHER SANCTIONS AND/OR FOR THE APPOINTMENT
13 OF A SPECIAL MASTER.

14 The Confidential Materials include materials that Perfect 10, Inc., Google
15 Inc., and/or third parties have designated “Confidential” and/or “Highly
16 Confidential” pursuant to the Protective Order. Accordingly, Google requests that
17 the Confidential Materials be filed under seal.

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19 DATED: January 8, 2010

Respectfully submitted,

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21 QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP

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23 By *Rachel Herrick Kassabian*
24 Rachel Herrick Kassabian
25 Attorneys for Defendant GOOGLE INC.
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