

1 GLENN D. POMERANTZ (State Bar No. 112503)  
 glenn.pomerantz@mto.com  
 2 KELLY M. KLAUS (State Bar No. 161091)  
 kelly.klaus@mto.com  
 3 ADAM I. KAPLAN (State Bar No. 268182)  
 adam.kaplan@mto.com  
 4 MUNGER, TOLLES & OLSON LLP  
 355 South Grand Avenue  
 5 Thirty-Fifth Floor  
 Los Angeles, California 90071-1560  
 6 Telephone: (213) 683-9100  
 Facsimile: (213) 687-3702

7 Attorneys for Defendants

8  
 9 **UNITED STATES DISTRICT COURT**  
 10 **CENTRAL DISTRICT OF CALIFORNIA**  
 11 **WESTERN DIVISION**

12 GOOD MORNING TO YOU  
 PRODUCTIONS CORP., et al.,

13 Plaintiffs,

14 v.

15 WARNER/CHAPPELL MUSIC, INC.,  
 16 et al.,

17 Defendants.

Lead Case No. CV 13-04460-GHK  
 (MRWx)

**DECLARATION OF KELLY M.  
 KLAUS IN SUPPORT OF  
 DEFENDANTS' APPLICATION TO  
 FILE UNDER SEAL THEIR  
 UNREDACTED RESPONSE TO  
 CLASS COUNSEL'S BILLING  
 RECORDS AND EXHIBITS 1-5  
 THERETO**

Courtroom: 650  
 Judge: Hon. George H. King,

1 I, KELLY M. KLAUS, hereby declare:

2 1. I am a member of the firm Munger, Tolles & Olson LLP, counsel for  
3 Defendants Warner/Chappell Music, Inc. and Summy-Birchard, Inc. (jointly,  
4 “Defendants”). I am admitted to practice law in the State of California and before  
5 this Court.

6 2. I submit this declaration in support of Defendants’ Application to File  
7 Under Seal Defendants’ Unredacted Response to Class Counsel’s Billing Records  
8 (“Unredacted Response”) and Exhibits 1-5 thereto. I have personal knowledge of  
9 the facts set forth in this declaration, and, if called as a witness, I could and would  
10 testify competently to the matters set forth herein.

11 3. On June 10, 2016, the Court ordered Class Counsel to file under seal  
12 their billing records under seal, in connection with their motion for fees. Dkt. 334.  
13 Class Counsel filed their billing records under seal on June 17, 2016, pursuant to  
14 that order. Dkt. 337

15 4. On June 27, 2016, the Court issued an Order setting forth the briefing  
16 schedule for Defendants’ response to Class Counsel’ billing records. That Order is  
17 at Dkt. 347.

18 5. Defendants’ Unredacted Response to Class Counsel’s Billing Records  
19 and Exhibits 1-5 thereto quote from and describe in detail Class Counsel’s billing  
20 records, which were filed under seal pursuant to the Court’s Order.

21 6. In order to maintain the confidentiality of Class Counsel’s billing  
22 records, Defendants are hereby filing an Application to file their Unredacted  
23 Response and Exhibits 1-5 thereto under seal. I believe there is good cause for this  
24 under seal filing in light of the Court’s June 10, 2016 Order requiring Class Counsel  
25 to file their billing records under seal, to maintain the confidentiality of the same.

26  
27  
28

1           7.       Defendants are simultaneously filing a Proposed Redacted Version of  
2 their Response to Class Counsel’s Billing Records.

3           I declare under penalty of perjury under the laws of the United States that the  
4 foregoing is true and correct. Executed this 5<sup>th</sup> day of July 2016, at San Francisco,  
5 California.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

*/s/ Kelly M. Klaus*  
\_\_\_\_\_  
Kelly M. Klaus