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11 Attorneys for Defendants  
 12 Homestore, Inc., The National Association  
 of Realtors, and The National Association  
 of Home Builders of the United States

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION

16 KEVIN L. KEITHLEY and TREN  
 17 TECHNOLOGIES HOLDING LLC,

18 Plaintiffs,

19 v.

20 HOMESTORE.COM, INC., et al.,

21 Defendants.

Case No. 3:03-CV-04447 SI (EDL)

**DEFENDANTS' ADMINISTRATIVE  
 MOTION FOR FILING UNDER SEAL**

**SUPPORTING DECLARATION OF S.  
 BENJAMIN PLEUNE**

**[PROPOSED] ORDER**

Courtroom: 10, 19<sup>th</sup> Floor  
 Judge: Honorable Susan Illston

1                   **DEFENDANTS' ADMINISTRATIVE MOTION FOR FILING UNDER SEAL**

2                   1.       Papers Submitted For Filing Under Seal In Their Entirety

3                   Pursuant to Civil Local Rules 7-11 and 79-5(b), Defendant Move, Inc. (formerly  
4 Homestore.com, Inc.) hereby requests leave of Court to file under seal in their entirety the  
5 following documents being lodged with the Clerk:

- 6                   •       Exhibits 2, 3, and 4 to the Supplemental Declaration S. Benjamin Pleune in  
7                   Support of Defendants' Motion for Summary Judgment of Invalidity for  
8                   Anticipation and Obviousness.

9                   Exhibits 2, 3, and 4 have been designated as Confidential by the Plaintiffs in this case.

10                  As required by Civil Local Rule 79-5(b), Defendants are lodging with the Clerk copies of  
11 said exhibits.

12                  Submitted this 31st day of October, 2008.

13                                   LUTHER ORTON  
14                                   SNYDER, MILLER & ORTON LLP

15                                   /s/ S. Benjamin Pleune \_\_\_\_\_  
16                                   BRUCE J. ROSE  
17                                   S. BENJAMIN PLEUNE  
18                                   DOUGLAS R. WILNER  
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23                                   ATTORNEYS FOR DEFENDANTS  
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**SUPPORTING DECLARATION OF S. BENJAMIN PLEUNE**

I, S. Benjamin Pleune, declare as follows:

1. I am an attorney at law licensed to practice before all of the courts of the State of North Carolina. I am an attorney in the law firm of Alston & Bird, LLP, counsel for Defendants Homestore.com, Inc., The National Association of Realtors, and The National Association of Home Builders of the United States (collectively “Defendants”). I have knowledge of all of the following facts and, if called as a witness, could and would competently testify thereto.

2. The representations made above in this Administrative Motion are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 31, 2008.

/s/ S. Benjamin Pleune  
S. Benjamin Pleune

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**[PROPOSED] ORDER**

Upon good cause shown, **IT IS HEREBY ORDERED** that Exhibits 2, 3 and 4 to the Supplemental Declaration S. Benjamin Pleune in Support of Defendants' Motion for Summary Judgment of Invalidity for Anticipation and Obviousness be filed under seal by the Clerk.

**IT IS SO ORDERED.**



Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. Susan Illston  
United States District Court Judge

**CERTIFICATE OF SERVICE**

1  
2 The undersigned hereby certifies that a copy of the foregoing **Defendants'**  
3 **Administrative Motion For Filing Under Seal; Supporting Declaration Of S. Benjamin**  
4 **Pleune; [Proposed] Order** was served upon the following parties on October 31, 2008 by  
5 electronic delivery:

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12 s/ S. Benjamin Pleune  
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