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20 Attorneys for Defendant and Counterclaimant,
 21 BLOCKBUSTER INC.

22 UNITED STATES DISTRICT COURT
 23
 24 NORTHERN DISTRICT OF CALIFORNIA

25 NETFLIX, INC, a Delaware corporation

26 Plaintiff,

27 v.

28 BLOCKBUSTER INC., a Delaware corporation,
 DOES 1-50,

Defendant.

Case No. C 06 2361 WHA (JCS)

**DECLARATION OF ADRIENNE L.
 TACLAS IN SUPPORT OF
 BLOCKBUSTER'S ADMINISTRATIVE
 REQUEST TO FILE UNDER SEAL**

Hearing Date: August 2, 2007
 Time: 8:00 a.m.
 Courtroom: 9, 19th Floor
 Judge: Hon. William H. Alsup

Complaint Filed: April 4, 2006
 Trial Date: September 17, 2007

AND RELATED COUNTERCLAIMS

1 I, Adrienne L. Taclas, hereby declare as follows:

2 1. I am an attorney at law duly authorized to practice in California, and an
3 associate with Bingham McCutchen LLP, counsel of record for Defendant and Counterclaimant
4 Blockbuster. I submit this affidavit in support of Blockbuster's Administrative Request to File
5 Under Seal. The following facts are true of my own personal knowledge. If called as a witness,
6 I could and would testify competently as follows.

7 2. The Court entered a Protective Order in this action on October 23, 2006.

8 3. Blockbuster has designated the following documents (or portions of
9 documents) filed in support of Blockbuster's Motion for Summary Judgment of Invalidity and
10 Non-Infringement ("Motion") "Confidential-Attorneys' Eyes Only" pursuant to Paragraph 10 of
11 the Protective Order, because they are of a particularly sensitive business or technical nature that
12 would provide significant advantage to competitors should they be disclosed. Accordingly,
13 Blockbuster hereby submits the following documents under seal pursuant to Civil Local Rule 79-
14 5(b), (c).

15 (a) Exhibit S to the Declaration of William J. O'Brien In
16 Support Of Blockbuster's Motion for Summary
17 Judgment of Invalidity and Non-Infringement
18 ("O'Brien Decl.") containing excerpts from the
deposition transcript of Shane Evangelist taken on April
17, 2007.

19 4. The following documents (or portions of documents) filed in support of
20 Blockbuster's Motion contain information produced to Blockbuster in this action and designated
21 "Confidential - Attorneys' Eyes Only" by Plaintiff, Netflix, Inc. ("Netflix"). Pursuant to
22 Paragraph 10 of the Protective Order and Civil Local Rule 79-5(c), (d), Blockbuster hereby
23 lodges the following documents under seal:

24 (a) Exhibit E to the O'Brien Decl., containing excerpts
25 from the deposition transcript of Neil Hunt taken on
March 23, 2007.

26 (b) Exhibit K to the O'Brien Decl., containing excerpts
27 from the deposition transcript of Tom Adams taken on
June 1, 2007.

1 5. Blockbuster submits the Declaration of J.W. Craft In Support Of
2 Blockbuster's Motion for Summary Judgment of Invalidity and Non-Infringement to be filed
3 under seal, as the declaration contains confidential commercial information.

4 6. Blockbuster submits the following portions of its Motion to be submitted
5 under seal as the Motion describes the contents of the above listed documents, containing
6 confidential commercial information, on the following pages: 1, 5, 9, 11-21, 23-29.

7 7. Blockbuster will electronically file redacted versions of the documents
8 referenced above to be placed in the public record.

9 I declare under penalty of perjury that the foregoing is true and correct, and that this
10 declaration was executed on June 14, 2007 at East Palo Alto, California.

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ADRIENNE L. TACLAS