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 11 Attorneys for Plaintiff  
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13 UNITED STATES DISTRICT COURT FOR THE  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 OAKLAND DIVISION

16 GOOGLE INC.

17 Plaintiff,

18 v.

19 NETLIST, INC.,

20 Defendant.

Civil Action No. C08 04144 SBA

[Related to Civil Action No. C09-05718 SBA]

**GOOGLE INC.'S ADMINISTRATIVE  
 MOTION TO FILE GOOGLE INC.'S  
 OPPOSITION TO NETLIST, INC.'S  
 MOTION FOR SUMMARY JUDGMENT  
 OF INFRINGEMENT AND COUNTER-  
 MOTION FOR SUMMARY JUDGMENT  
 OF NON-INFRINGEMENT AND  
 RELATED EXHIBITS UNDER SEAL**

Date: July 27, 2010

Time: 1:00pm

Place: Courtroom 3

Judge: Hon. Sandra Brown Armstrong

**ADMINISTRATIVE MOTION TO FILE UNDER SEAL**

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2 Pursuant to General Order No. 62 and Civil Local Rules 7-11 and 79-5, Plaintiff and  
3 Counterdefendant Google Inc. hereby requests that the Court file *Google Inc.’s Opposition to*  
4 *Netlist, Inc.’s Motion for Summary Judgment of Infringement and Counter-Motion for Summary*  
5 *Judgment of Non-infringement* (“Google’s Opposition and Counter-Motion”) and Exhibits C, D,  
6 E, H, I, J, and N to the Declaration of Scott T. Weingaertner (“Weingaertner Decl.”) in support  
7 thereof under seal. This request is based on this administrative motion, the Weingaertner Decl. in  
8 support thereof, and such oral argument as the Court may entertain. As required by Civil Local  
9 Rules 79-5(b)-(d) and General Order No. 62, the following papers are also being lodged with the  
10 Court: (1) a Chamber’s copy of the Google’s Opposition and Counter-Motion, and (2) a  
11 Chamber’s copy of the Weingaertner Decl and Exhibits thereto.  
12

13 Paragraph 26 of the Court’s Second Amended Protective Order, dated March 5, 2010  
14 (Docket No. 108), requires the parties to file under seal all “transcripts of deposition, exhibits,  
15 answers to interrogatories, pleadings, briefs, and other documents submitted to the Court that  
16 have been designated as Protected Information or which contain information so designated.”  
17 Google’s Opposition and Counter-Motion includes information designated by Google and third  
18 parties NEC and IDT as Protected Information under the terms of the Second Amended  
19 Protective Order. The information includes excerpts of exhibits and deposition transcripts that  
20 have been so designated. Therefore, Google is obligated to file its Google’s Opposition and  
21 Counter-Motion and Exhibits C, D, E, H, I, J, and N to the Declaration of Scott T. Weingaertner  
22 in support thereof under seal. Google respectfully requests that the Court grant its application to  
23 file the foregoing documents under seal. Pursuant to the Court’s Scheduling Order, the parties  
24 met and conferred regarding this motion.  
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DATED: June 18, 2010

**KING & SPALDING LLP**

By: /s/ Scott T. Weingaertner  
Scott T. Weingaertner

*Attorneys for Plaintiff*  
GOOGLE INC.