

1 PRUETZ LAW GROUP LLP
 2 Adrian M. Pruetz (Bar No. CA 118215)
 3 E-mail: ampruetz@pruetzlaw.com
 4 Erica J. Pruetz (Bar No. CA 227712)
 5 E-mail: ejpruetz@pruetzlaw.com
 6 200 N. Sepulveda Blvd. Suite 1525
 7 El Segundo, CA 90245
 8 Telephone: (310) 765-7650
 9 Facsimile: (310) 765-7641

10 LEE TRAN & LIANG APLC
 11 Enoch H. Liang (Bar No. CA 212324)
 12 E-mail: ehl@ltlcounsel.com
 13 Steven R. Hansen (Bar No. CA 198401)
 14 E-mail: srh@ltlcounsel.com
 15 Edward S. Quon (Bar No. 214197)
 16 E-mail: eq@ltlcounsel.com
 17 601 S. Figueroa St., Suite 4025
 18 Los Angeles, CA 90017
 19 Telephone: (213) 612-3737
 20 Facsimile: (213) 612-3773

21 Attorneys for Defendant and Counterclaimant
 22 NETLIST, INC.

23 UNITED STATES DISTRICT COURT
 24 NORTHERN DISTRICT OF CALIFORNIA
 25 OAKLAND DIVISION

26 GOOGLE, INC.,

27 Plaintiff,

28 vs.

NETLIST, INC.,

Defendant.

CASE NO. C-08-04144 SBA

[Related to CASE NO. C-09-05718 SBA]

**DEFENDANT NETLIST, INC.'S
 ADMINISTRATIVE MOTION TO FILE
 NETLIST'S REPLY BRIEF IN SUPPORT
 OF MOTION FOR SUMMARY
 JUDGMENT ON GOOGLE'S
 AFFIRMATIVE DEFENSES BASED ON
 NETLIST'S JEDEC ACTIVITIES UNDER
 SEAL**

Date: July 27, 2010

Time: 1:00 p.m.

Place: Courtroom 3

Judge: Hon. Sandra Brown Armstrong

AND RELATED COUNTERCLAIMS

APPLICATION TO FILE UNDER SEAL

NETLIST'S MOTION TO FILE REPLY RE MOTION FOR MSJ ON JEDEC ACTIVITES UNDER SEAL
 C-08-04144 SBA

1 Pursuant to Civil Local Rules 7-11 and 79-5, Defendant and Counterclaimant Netlist, Inc.
2 (“Netlist”) hereby requests that the Court file Netlist’s “Defendant Netlist’s Reply Brief in
3 Support of Motion for Summary Judgment on Google’s Affirmative Defenses Based on Netlist’s
4 JEDEC Activities” under seal. This request is based on this application, the Declaration of
5 Steven R. Hansen in support thereof, and such oral argument as the Court may entertain. As
6 required by Civil Local Rules 79-5(b)-(d) the following papers are also being lodged with the
7 Court: (1) a Chamber’s copy of the Defendant Netlist’s Reply Brief in Support of Motion for
8 Summary Judgment on Google’s Affirmative Defenses Based on Netlist’s JEDEC Activities.

9 Paragraph 26 of the Court’s Second Amended Protective Order, dated March 5, 2010
10 requires the parties to file under seal all “transcripts of depositions, exhibits, answers to
11 interrogatories, pleadings, briefs, and other documents submitted to the Court that have been
12 designated as Protected Information or which contain information so designated.” Defendant
13 Netlist’s Reply Brief in Support of Motion for Summary Judgment on Google’s Affirmative
14 Defenses Based on Netlist’s JEDEC Activities includes information designated by Google and
15 the third party JEDEC as Protected Information under the terms of the Second Amended
16 Protective Order. The information includes excerpts of exhibits and deposition transcripts that
17 have been so designated. Accordingly, Netlist is obligated to file its Defendant Netlist’s Reply
18 Brief in Support of Motion for Summary Judgment on Google’s Affirmative Defenses Based on
19 Netlist’s JEDEC Activities under seal. Netlist respectfully requests that the Court grant its
20 application to file the foregoing documents under seal. Pursuant to the Court’s Scheduling Order,
21 the parties met and conferred regarding this motion.

22
23 Dated: June 13, 2010

LEE TRAN & LIANG, APLC

24 By: /s/Steven R. Hansen

25 Steven R. Hansen
26 *Attorneys for Defendant and Counterclaimant*
27 NETLIST, INC.

PROOF OF SERVICE

1 **STATE OF CALIFORNIA)**
2 **COUNTY OF LOS ANGELES)**

3 I am employed in the county of Los Angeles State of California. I am over the age of 18
4 and not a party to the within action; my business address is: 601 S. Figueroa Street, Suite 4025,
Los Angeles, CA 90017.

5 On **July 13, 2010**, I served the foregoing document(s) described as:
6 **DEFENDANT NETLIST, INC.'S ADMINISTRATIVE MOTION TO FILE**
7 **NETLIST'S REPLY BRIEF IN SUPPORT OF MOTION FOR SUMMARY**
8 **JUDGMENT ON GOOGLE'S AFFIRMATIVE DEFENSES BASED ON NETLIST'S**
9 **JEDEC ACTIVITIES UNDER SEAL**

10 on the interested parties.

11 By placing the original true copies thereof enclosed in sealed envelopes addressed
12 as follows:

<p style="text-align: center;">TIMOTHY T. SCOTT KING & SPALDING LLP 333 Twin Dolphin Drive, Suite 400 Redwood Shores, CA 94065</p> <p style="text-align: center;">Fax: (650) 590-1900</p>	<p style="text-align: center;">SCOTT T. WEINGAERTNER KING & SPALDING LLP 1185 Avenue of the Americas New York, NY 10036-4003</p> <p style="text-align: center;">Fax: : (212) 556-2222</p>
---	---

13
14
15 **BY MAIL** I placed such envelope in the mail at Los Angeles, California. The envelope
16 was mailed with postage thereon fully prepaid.

17 As follows: I am "readily familiar" with the firm's practice of collection and processing
18 correspondence for mailing. Under that practice it would be deposited with U.S. Postal
19 Service on that same day with postage thereon fully prepaid at Los Angeles, California in
the ordinary course of business. I am aware that on motion of the party served, service is
presumed invalid if postal cancellation date or postage meter date is more than one day
after date of deposit for mailing in affidavit.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28

///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<p>TIMOTHY T. SCOTT (tscott@kslaw.com) GEOFFREY M. EZGAR (gezgar@kslaw.com) LEO SPOONER III (lspooner@kslaw.com) KING & SPALDING LLP 333 Twin Dolphin Drive, Suite 400 Redwood Shores, CA 94065</p>	<p>SCOTT T. WEINGAERTNER (sweingaertner@kslaw.com) ROBERT F. PERRY (rperry@kslaw.com) ALLISON ALTERSOHN (aaltersohn@kslaw.com) SUSAN KIM (skim@kslaw.com) MARK H. FRANCIS (mfrancis@kslaw.com) DANIEL MILLER (dmiller@kslaw.com) King & Spalding LLP 1185 Avenue of the Americas New York, NY 10036-4003</p>
---	--

BY ELECTRONIC MAIL I transmitted the above listed document(s) to the e-mail address set forth above on this date.

Executed on **July 13, 2010** at Los Angeles, California.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

LYNETTE W. SUKSNGUAN

s/ Lynette W. Suksnguan _____

Type or Print Name

Signature