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9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA

12 PETROLIAM NASIONAL BERHAD,  
 13 Plaintiff,  
 14 vs.  
 15 GODADDY.COM, INC.,  
 16 Defendant.

CASE NO.: 09-CV-5939 PJH

**DECLARATION OF GREG  
 SCHWIMER IN SUPPORT OF  
 PLAINTIFF'S ADMINISTRATIVE  
 MOTION TO SEAL**

18 GODADDY.COM, INC.,  
 19 Counterclaimant,  
 20 vs.  
 21 PETROLIAM NASIONAL BERHAD,  
 22 Counterclaim Defendant.  
 23

Date: December 7, 2011  
 Time: 9:00 a.m.  
 Courtroom: 3

Honorable Phyllis J. Hamilton

1 I, Greg Schwimer, declare and state as follows:

2 1. I am the Director of Information Technology in the Architecture Group at  
3 GoDaddy.com, Inc. ("Go Daddy"). I have been a Director of Information Technology at Go  
4 Daddy since May 2008. I have personal knowledge of the facts set forth in this declaration. If  
5 called as a witness, I could and would testify competently to the matters set forth below.

6 2. I have reviewed pages 183-190 of Petronas's appendix in support of its motion for  
7 partial summary judgment, a document that consists of excerpts from the October 19, 2011  
8 deposition of Jeff Munson, a development manager at Go Daddy. In light of the confidential  
9 nature of certain topics of the deposition, there are compelling reasons for various portions of the  
10 deposition testimony not to be made public.

11 3. Portions of Mr. Munson's deposition testimony found on page 11 at lines 4-10,  
12 page 19 at lines 6-9 and 22-24, and page 22 at lines 6-8 should remain under seal. These excerpts  
13 contain proprietary and confidential information as to the configuration of Go Daddy's domain  
14 forwarding system, including the software manufacturer, software versions, and quantity of  
15 servers used to implement the system. This information is highly sensitive because it provides a  
16 view into not only how Go Daddy's proprietary forwarding system is implemented, but also how a  
17 number of Go Daddy's other proprietary systems have or may have been implemented.  
18 Disclosure of this information would have the effect of providing a knowledgeable reader with a  
19 roadmap to implement a system similar or identical to the one developed by Go Daddy and would  
20 result in the erosion of Go Daddy's competitive advantage. Furthermore, a knowledgeable reader  
21 or hacker might use this information to exploit Go Daddy's systems and compromise their  
22 integrity, raising risks of harm to not only Go Daddy but also to its millions of customers. It is  
23 also worth noting that Petronas does not even cite to Mr. Munson's deposition testimony found on  
24 page 19 at lines 6-9 and 22-24 and page 22 at lines 6-8 in its Motion for Summary Judgment .

25 4. Compelling security reasons exist as to why the portions of Mr. Munson's  
26 deposition testimony found on page 11 at lines 14-16 should remain under seal. This excerpt  
27 contains confidential details as to the physical location of Go Daddy's forwarding servers and the  
28 data center facilities in which they reside. This introduces the risk of revealing Go Daddy hosting

1 locations to the general public. The disclosure of this information may enable a third-party to  
2 interfere with the physical operation of Go Daddy's data center facilities, thereby causing harm to  
3 Go Daddy employees and/or affecting the availability of services the company provides to its  
4 millions of customers in the U.S. and internationally.

5         5.         Portions of Mr. Munson's deposition testimony found on page 13 at lines 9-13  
6 should remain under seal. This excerpt contains proprietary and confidential information  
7 pertaining to the programming language used to run Go Daddy's forwarding service, as well as the  
8 time it took to develop the system in question. This highly sensitive information is a trade secret.  
9 Disclosure of this information would have the effect of providing a knowledgeable reader with a  
10 roadmap to implement a system similar or identical to the one developed by Go Daddy and would  
11 result in the erosion of Go Daddy's competitive advantage. Furthermore, a knowledgeable reader  
12 or hacker might use this information to exploit the system and compromise its integrity, raising  
13 risks of harm to not only Go Daddy but also to its millions of customers.

14         6.         Portions of Mr. Munson's deposition testimony found on page 14 at lines 7-24  
15 should remain under seal. This excerpt contains proprietary and confidential information specific  
16 to the mechanism and implementation of Go Daddy's forwarding system. Disclosure of this  
17 highly sensitive information would have the effect of providing a knowledgeable reader with a  
18 roadmap to implement a system similar or identical to the one developed by Go Daddy and would  
19 result in the erosion of Go Daddy's competitive advantage. Furthermore, a knowledgeable reader  
20 or hacker might use this information to exploit the system and compromise its integrity, raising  
21 risks of harm to not only Go Daddy but also to its millions of customers.

22         7.         Portions of Mr. Munson's deposition testimony found on page 16 at lines 1-25 and  
23 page 17 at lines 1-4 should remain under seal. These excerpts contain proprietary and confidential  
24 information as to the configuration of one of Go Daddy's key systems, including the networking  
25 components, software manufacturer, DNS configuration, and groups involved in its  
26 implementation. This highly sensitive information is a trade secret. Disclosure of this information  
27 would have the effect of providing a knowledgeable reader with a roadmap to implement a system  
28 similar or identical to the one developed by Go Daddy and would result in the erosion of Go

1 Daddy's competitive advantage. Furthermore, a knowledgeable reader or hacker might use this  
2 information to exploit the system and compromise its integrity, raising risks of harm to not only  
3 Go Daddy but also to its millions of customers. It is also worth noting that Petronas does not even  
4 cite to Mr. Munson's deposition testimony found on page 16 at lines 11-25 and page 17 at lines 1-  
5 4 in its Motion for Summary Judgment.

6 8. Compelling security reasons exist as to why the portions of Mr. Munson's  
7 deposition testimony found on page 23 at lines 3-7 should remain under seal. This excerpt  
8 contains proprietary and confidential information pertaining to the security of Go Daddy's  
9 network environment. These details are not only trade secrets, but they also put at risk the security  
10 of Go Daddy's systems by putting into the public sphere unique configuration details that may be  
11 leveraged in an attack by hackers or other bad actors. Such an attack might result in a partial or  
12 total system outage, or, worse yet, provide the attacker with access to information pertaining to the  
13 company's customer base, including personally identifiable information for millions of customers.  
14 It is also worth noting that Petronas does not even cite to this portion of the deposition testimony  
15 in its Motion for Summary Judgment.

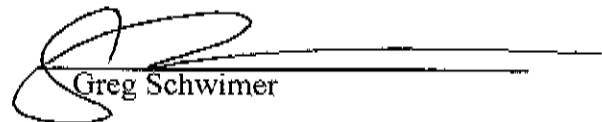
16 9. Compelling security reasons exist as to why the portions of Mr. Munson's  
17 deposition testimony found on page 23 at lines 17-25 and page 24 at lines 1-14 should remain  
18 under seal. These excerpts contain the name and describe the functionality of one of Go Daddy's  
19 internally developed operational software tools, including information explaining the reason for  
20 the tool. This highly sensitive information is trade secret. Disclosure of this information would  
21 have the effect of providing a knowledgeable reader with a roadmap to implement a system  
22 similar or identical to the one developed by Go Daddy and would result in the erosion of Go  
23 Daddy's competitive advantage. Furthermore, a knowledgeable reader or hacker might use this  
24 information to exploit and/or render harm to the system and the customers which it supports. It is  
25 also worth noting that Petronas does not even cite to these portions of the deposition testimony in  
26 its Motion for Summary Judgment.

27 10. In addition, compelling security reasons exist as to why portions of Mr. Munson's  
28 deposition testimony found on page 23 at lines 17-25 and all of pages 24-26 should remain under

1 seal because they describe in great detail the proprietary operational considerations encountered by  
2 Go Daddy when dealing with certain attacks against Go Daddy's systems. Details regarding such  
3 attacks, including specific details concerning how these events transpire and are managed, are  
4 trade secrets. Disclosure of this highly proprietary information puts at risk the overall security of  
5 the system, and offers insight to a hacker or other bad actor concerning how Go Daddy  
6 implements its system defenses. It is also worth noting that Petronas does not even cite to these  
7 portions of the deposition testimony in its Motion for Summary Judgment.

8 11. The highly sensitive information found in certain portions of the deposition  
9 testimony of Mr. Munson, described above, represents competitive business information and trade  
10 secret knowledge that Go Daddy acquired at considerable effort and expense over several years.  
11 This information cannot be acquired or duplicated by others outside of Go Daddy. To my  
12 knowledge, the highly sensitive information disclosed in the above referenced excerpts are not  
13 known outside of Go Daddy, not disclosed to Go Daddy employees except on a "need to know"  
14 basis, and not shared with third parties except under a confidentiality agreement or pursuant to a  
15 professional duty of confidentiality that prevents public disclosure of this information.  
16 Accordingly, compelling reasons exist for sealing those portions of Mr. Munson's deposition  
17 testimony or, to the extent they are not cited in Petronas's motion for summary judgment,  
18 expunging them from the record.

19 I declare under penalty of perjury that the foregoing is true and correct. Executed at  
20 Scottsdale, Arizona, on November 9, 2011.

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