

1 KEKER & VAN NEST, LLP
MICHAEL H. PAGE - #154913
2 MARK A. LEMLEY - #155830
KLAUS H. HAMM - #224905
3 AJAY S. KRISHNAN - #222476
710 Sansome Street
4 San Francisco, CA 94111-1704
Telephone: (415) 391-5400
5 Facsimile: (415) 397-7188

6 Attorneys for Plaintiff and Counter Defendant
7 GOOGLE INC.

8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA

11 GOOGLE INC., a Delaware corporation,
12
13 Plaintiff,

14 v.

15 AMERICAN BLIND & WALLPAPER
FACTORY, INC., a Delaware corporation
16 d/b/a decoratetoday.com, Inc., and DOES 1-
100, inclusive,

17 Defendants.

18 AMERICAN BLIND & WALLPAPER
19 FACTORY, INC., a Delaware corporation
20 d/b/a decoratetoday.com, Inc.,

21 Counter-Plaintiff,

22 v.

23 GOOGLE INC.,

24 Counter-Defendant.

Case No. C 03-5340-JF (RS)

**NOTICE OF MOTION AND MOTION
FOR ADMINISTRATIVE RELIEF
SEEKING AN ORDER SEALING
DOCUMENTS FOR FILING IN
RELATION TO COUNTER-DEFENDANT
GOOGLE INC.'S MOTION TO COMPEL
COUNTER-PLAINTIFF ABWF TO
SATISFY OUTSTANDING DISCOVERY
OBLIGATIONS**

Date: TBD
Time: TBD
Courtroom: 4
Judge: Hon. Richard Seeborg

**NOTICE OF MOTION AND MOTION FOR ADMINISTRATIVE
RELIEF SEALING DOCUMENTS**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

Pursuant to Civil Local Rules 79-5(d) and 7-11(a), Plaintiff Google Inc. ("Google") hereby gives notice to all counsel of record of its Motion for Administrative Relief Seeking an Order Sealing Documents For Filing in Relation to Counter-Defendant Google's Motion to Compel Counter-Plaintiff ABWF to Satisfy Its Outstanding Discovery Obligations ("Motion to Compel"). By way of this Administrative Motion, Google requests an order sealing: (1) certain portions of its Motion to Compel, (2) documents that were designated "Attorneys' Eyes Only" by American Blind & Wallpaper Factory, Inc. ("American Blind") pursuant to the Stipulated Protective Order signed by all parties to this litigation and approved by the Court on September 19, 2005 ("Protective Order"). These documents are collectively referred to as the "Confidential Documents."

The Declaration of Ajay S. Krishnan ("Krishnan Declaration") attaches as Exhibits J, L, N, O, R, and S documents that American Blind has designated as "Attorneys' Eyes Only" pursuant to the Protective Order. Pursuant to Local Rules 79-5(d), Google moves to file under seal Exhibits J, L, N, O, R, and S to the Krishnan Declaration. Pursuant to Civil Local Rule 79-5(d), Exhibits J, L, N, O, R, and S to the Krishnan Declaration are lodged with the Clerk concurrently with this Administrative Motion.

Local Rule 79-5(d) outlines the procedure that American Blind must follow within five days of the filing of this Administrative Motion if it wishes to maintain the confidential designation of Exhibits J, L, N, O, R, and S.

1 Dated: September 7, 2006

KEKER & VAN NEST, LLP

2
3
4 By: /s/ Ajay S. Krishnan
AJAY S. KRISHNAN
5 Attorneys for Plaintiff and Counter Defendant
GOOGLE INC.
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28