

1 Robert N. Phillips (SBN 120970)
 Ethan B. Andelman (SBN 209101)
 2 HOWREY LLP
 525 Market Street, Suite 3600
 3 San Francisco, CA 94105
 Telephone: (415) 848-4900
 4 Facsimile: (415) 848-4999

5 David A. Rammelt (Admitted *Pro Hac Vice*)
 Susan J. Greenspon (Admitted *Pro Hac Vice*)
 6 Paul W. Garrity (Admitted *Pro Hac Vice*)
 Caroline C. Plater (Admitted *Pro Hac Vice*)
 7 KELLEY DRYE & WARREN LLP
 333 West Wacker Drive, Suite 2600
 8 Chicago, IL 60606
 Telephone: (312) 857-7070
 9 Facsimile: (312) 857-7095

10 Attorneys for Defendant/Counter-Plaintiff
 AMERICAN BLIND AND WALLPAPER
 11 FACTORY, INC.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

14 GOOGLE INC., a Delaware corporation,

15 Plaintiff,

16 v.

17 AMERICAN BLIND & WALLPAPER
 18 FACTORY, INC., a Delaware corporation
 d/b/a decoratetoday.com, Inc.; and DOES 1-
 19 100, inclusive,

20 Defendants.

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

**RESPONSIVE DECLARATION OF
 CAROLINE C. PLATER REGARDING
 GOOGLE INC.'S MOTION FOR
 ADMINISTRATIVE RELIEF SEEKING
 AN ORDER SEALING DOCUMENTS
 FOR FILING IN RELATION TO
 GOOGLE INC.'S REPLY BRIEF IN
 SUPPORT OF ITS MOTION TO
 COMPEL ABWF TO SATISFY
 OUTSTANDING DISCOVERY
 OBLIGATIONS (DOCKET NO. 201)**

Judge: Hon. Richard Seeborg

21
 22 AMERICAN BLIND & WALLPAPER
 FACTORY, INC., a Delaware corporation
 23 d/b/a decoratetoday.com, Inc.,

24 Counter-Plaintiff,

25 v.

26 GOOGLE, INC.,
 Counter-Defendant.

1 I, Caroline C. Plater, declare as follows:

2 1. I am an associate with the firm Kelley Drye & Warren LLP, counsel for
3 Defendant/Counter-Plaintiff, American Blind and Wallpaper Factory, Inc. (“American Blind”),
4 and I am admitted to practice before this court *pro hac vice*.

5
6 2. I make this responsive declaration pursuant to Civil Local Rule 79-5(d) regarding
7 the Motion For Administrative Relief Seeking An Order Sealing Documents For Filing In
8 Relation To Counter-Defendant Google Inc.’s Reply Brief In Support Of Its Motion to Compel
9 Counter-Plaintiff ABWF To Satisfy Outstanding Discovery Obligations (“Google’s Sealing
10 Motion”). Unless otherwise stated, I know the facts stated herein of my personal knowledge and
11 if called as a witness, I would testify competently thereto.

12
13 3. Google’s Sealing Motion seeks an order sealing (a) Exhibit B to the Supplemental
14 Declaration of Ajay S. Krishnan, and (b) Exhibit C to the Supplemental Declaration of Ajay S.
15 Krishnan.

16
17 4. Exhibit B to the Supplemental Declaration of Ajay S. Krishnan are pages of the
18 deposition transcript of American Blind’s former employee Scot M. Powers that have been
19 marked as Confidential and Attorneys Eyes Only. These pages contain American Blind’s
20 confidential business information and business plans regarding its profits and internet advertising
21 strategy. These matters are deemed confidential and subject to the Confidential and Attorneys
22 Eyes Only designations pursuant to the terms of the Protective Order in place in this case.

23
24 5. Exhibit C to the Supplemental Declaration of Ajay S. Krishnan are pages of the
25 deposition transcript of American Blind’s former employee Joseph Lewis Charno that have been
26 marked as Confidential and Attorneys Eyes Only. These pages contain American Blind’s
27

28

1 confidential business information and business plans regarding its internet advertising strategy
2 spending regarding the same . These matters are deemed confidential and subject to the
3 Confidential and Attorneys Eyes Only designations pursuant to the terms of the Protective Order
4 in place in this case.
5

6 I state under penalty of perjury of the laws of the United States of American that the
7 foregoing statements are true and correct and that this declaration was executed on November 14,
8 2006.
9

10
11
12 /s/ Caroline C. Plater
13 CAROLINE C. PLATER
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28