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 GOOGLE INC.

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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

GOOGLE INC., a Delaware corporation,  
 Plaintiff,  
 v.  
 AMERICAN BLIND & WALLPAPER  
 FACTORY, INC., a Delaware corporation  
 d/b/a decoratetoday.com, Inc., and DOES 1-  
 100, inclusive,  
 Defendants.

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

**DECLARATION OF KLAUS H. HAMM  
 IN SUPPORT OF GOOGLE'S MOTION  
 FOR ADMINISTRATIVE RELIEF  
 SEEKING AN ORDER SEALING  
 DOCUMENTS**

AMERICAN BLIND & WALLPAPER  
 FACTORY, INC., a Delaware corporation  
 d/b/a decoratetoday.com, Inc.,  
 Counter Plaintiff,  
 v.  
 GOOGLE INC., AMERICA ONLINE, INC.,  
 NETSCAPE COMMUNICATIONS  
 CORPORATION, COMPUSERVE  
 INTERACTIVE SERVICES, INC., ASK  
 JEEVES, INC. and EARTHLINK, INC.,  
 Counter Defendant/  
 Third-Party Defendants.

1 I, Klaus H. Hamm, declare as follows:

2 1. I am associated with the firm of Kecker & Van Nest LLP, counsel for Plaintiff  
3 Google Inc., and am admitted to practice before this Court.

4 2. I make this declaration in support of Google's Motion For Administrative Relief  
5 Seeking An Order Sealing Documents. Unless otherwise stated, I know the facts stated herein of  
6 my personal knowledge and if called as a witness, I would testify competently thereto.

7 3. In its Reply In Support of Its Motion for Summary Judgment, Google cites to and  
8 discusses documents and testimony that the parties have designated as sensitive pursuant to the  
9 protective order entered in this action or have been previously filed under seal. Those documents  
10 and testimony, which are also attached to declarations submitted by both parties in connection to  
11 Google's motion for summary judgment, is described below.

12 4. Exhibit G to the Supplemental Declaration of Klaus Hamm In Support of Google's  
13 Motion for Summary Judgment are excerpts from the deposition testimony of Jeffrey Alderman,  
14 an ABWF employee.

15 5. Exhibit K to the Declaration of Paul W. Garrity in Support of Defendant's Opposition  
16 to Google Inc's Motion for Summary Judgment includes copies of the deposition transcripts of  
17 Prashant Fuloria, taken on May 18, 2006 and August 9, 2006, as well as exhibits from the  
18 depositions that have been designated Confidential – Attorneys' Eyes Only. These deposition  
19 transcripts contain highly confidential information pursuant to the protective order in this matter  
20 and although they do not appear to bear the designation Confidential – Attorneys' Eyes Only,  
21 this omission is an oversight and throughout this litigation both parties have treated these  
22 transcripts as if they were so designated. Exhibit K was previously filed under seal.

23 6. Exhibit L to the Hamm Declaration In Support of Google's Motion for Summary  
24 Judgment are excerpts from the deposition transcript of Jeffrey Alderman, taken on August 4,  
25 2006. Exhibit L was previously filed under seal.

26  
27 I state under penalty of perjury of the laws of the United States of American that the  
28 foregoing statements are true and correct and that this declaration was executed in San Francisco,

1 California on February 2, 2007.

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/s/ Klaus H. Hamm  
KLAUS H. HAMM

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