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

14	CLRB HANSON INDUSTRIES, LLC d/b/a)	CASE NO: C05-03649 JW
15	INDUSTRIAL PRINTING, and HOWARD)	
16	STERN, on behalf of themselves and all)	DECLARATION OF MICHELE F.
17	others similarly situated,)	RAPHAEL IN SUPPORT OF
18	Plaintiffs,)	PLAINTIFFS' ADMINISTRATIVE
19	vs.)	MOTION PURSUANT TO CIV. L.R.
20	GOOGLE, INC.,)	79-5(d) TO FILE UNDER SEAL
21	Defendant.)	PORTIONS OF AMENDED
22)	DOCUMENTS DUE TO
23)	CONFIDENTIAL DESIGNATIONS BY
24)	DEFENDANT GOOGLE, INC.
25)	Civ. L.R. 79-5(d)
26)	Courtroom: 8
27)	Judge: Hon. James W. Ware

28 **DECLARATION OF MICHELE F. RAPHAEL IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE
 MOTION PURSUANT TO CIV. L.R. 79-5(d) TO FILE UNDER SEAL PORTIONS OF A MENDED DOCUMENTS
 DUE TO CONFIDENTIAL DESIGNATIONS BY GOOGLE, INC.**

1 I, **MICHELE F. RAPHAEL**, declare as follow:

2 1. I am a member of Wolf Popper LLP, counsel for Plaintiffs CLRB Hanson
3 Industries, LLC d/b/a Industrial Printing and Howard Stern (collectively, "Plaintiffs") in this
4 action against Google, Inc ("Google"). I have personal knowledge of the facts stated herein. I
5 submit this declaration in support of Plaintiffs' administrative motion pursuant to Civ. L. R. 79-
6 5(d) to file under seal, portions of Plaintiffs' Amended Supplemental Memorandum in Support
7 of Plaintiffs' Motion for Partial Summary Judgment and portions of the Amended Supplemental
8 Declaration of Michele F. Raphael dated May 3, 2007 ("Plaintiffs' Amended Supplemental
9 Filings") because they incorporate, refer to, and/or cite documents which Defendant Google, Inc.,
10 has designated confidential pursuant to the parties' stipulated protective order filed on March 2,
11 2007 entered on May 15, 2007.

12 2. On May 7, 2007, Plaintiffs filed Plaintiffs' Supplemental Memorandum in Support
13 of Plaintiffs Motion for Summary Judgment together with the Supplemental Declaratiof Michele F.
14 Raphael dated May 3, 2007, each of which reference, incorporate or otherwise cite material
15 designated as "Confidential" by Defendant filed under seal.

16 3. By letter dated May 14, 2007, Defendant advised Plaintiff of its limited objections
17 to the redactions in Plaintiffs' Supplemental Memorandum in Support of Plaintiffs' Motion for
18 Partial Summary Judgment and the Supplemental Declaration of Michele F. Raphael dated May 3,
19 2007. (A copy of defendant's letter is not annexed hereto because it cites the material Defendant
20 claims is confidential.)

21 4. Also, on May 14, 2007, Defendant reiterated its limited objections in the Declaration
22 of M. Christopher Jhang in Response to Plaintiffs Administrative Motion Pursuant to Civ. L.R. 79-5
23 (D) to File Under Seal Portions of Documents.

24 5. Given the limited nature of Defendant's objections and irrespective of Plaintiffs'
25 (dis)agreement therewith, Plaintiffs have amended their redactions in their original supplemental
26 filings in complete accordance with defendant's comments. Specifically in Plaintiffs' Amended
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28 **DECLARATION OF MICHELE F. RAPHAEL IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE
MOTION PURSUANT TO CIV. L.R. 79-5(d) TO FILE UNDER SEAL PORTIONS OF A MENDED DOCUMENTS
DUE TO CONFIDENTIAL DESIGNATIONS BY GOOGLE, INC.**

1 Supplemental Memorandum filing, Plaintiffs have (i) redacted page 1, lines 14-17, (ii) redacted page
2 5, lines 22-23, and (iii) removed the redaction on page 8, line 23 through page 9 line 3; and in the
3 Amended Supplemental Raphael Declaration, Plaintiffs have redacted Exhibit B (Wilburn
4 Transcript), page 51, lines 1-4 and page 69, lines 8-25.

5 6. Plaintiffs' acquiescence to Defendant's request shall not be deemed an admission on
6 the part of Plaintiffs that such information is confidential.

7 7. Concurrent with this submission, Plaintiffs are lodging with the Clerk of the Court
8 two highlighted copies of (i) Plaintiffs' Amended Supplemental Memorandum in Support of
9 Plaintiffs' Motion for Partial Summary Judgment and (ii) the Amended Supplemental Declaration
10 of Michele F. Raphael dated May 3, 2007, which identify by yellow highlighting those portions
11 which annex, cite, and/or refer to material designated by Defendant as confidential. One copy is
12 intended for review by this Court. Plaintiffs are also lodging with the Clerk of the Court a redacted
13 version a each amended document to place in the public record in the event this Court orders that
14 the highlighted portions be filed under seal.

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16 Dated: May 21, 2007

17 _____
18 /s/
19 Michele F. Raphael

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28 **DECLARATION OF MICHELE F. RAPHAEL IN SUPPORT OF PLAINTIFFS' ADMINISTRATIVE
MOTION PURSUANT TO CIV. L.R. 79-5(d) TO FILE UNDER SEAL PORTIONS OF A MENDED DOCUMENTS
DUE TO CONFIDENTIAL DESIGNATIONS BY GOOGLE, INC.**