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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.
16	others similarly situated,)	RAPHAEL IN SUPPORT OF
17	Plaintiffs,)	PLAINTIFFS' ADMINISTRATIVE
18	vs.)	MOTION PURSUANT TO CIV. L.R.
19	GOOGLE, INC.,)	79-5(d) TO FILE UNDER SEAL
20	Defendant.)	PORTIONS OF PLAINTIFFS'
21)	SUPPLEMENTAL REPLY
22)	MEMORANDUM 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 PLAINTIFFS'
 SUPPLEMENTAL REPLY MEMORANDUM DUE TO CONFIDENTIAL DESIGNATIONS BY GOOGLE, INC.
 157468

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

2 1. I am a member of Wolf Popper LLP, counsel for Plaintiffs CLRB Hanson Industries,
3 LLC d/b/a Industrial Printing and Howard Stern (collectively, "Plaintiffs") in this action against
4 Google, Inc ("Google"). I have personal knowledge of the facts stated herein. I submit this
5 declaration in support of Plaintiffs' administrative motion pursuant to Civ. L. R. 79-5(d) to file under
6 seal, portions of Plaintiffs' Supplemental Reply Memorandum in Support of Plaintiffs' Motion for
7 Partial Summary Judgment ("Plaintiffs' Supplemental Reply Memorandum") because it
8 incorporates, refers to, and/or cites documents which Defendant Google, Inc. has designated
9 confidential pursuant to the Protective Order entered on May 15, 2007.

10 2. Plaintiffs' Supplemental Reply Memorandum addresses information gleaned from
11 discovery ordered by this Court, namely, the depositions of Google employees, Mr. Schulman, Ms.
12 Wilburn and Mr. Venkataraman, and documents produced by Google in connection with these
13 depositions.

14 3. Defendant has designated the entire transcripts from the depositions of Messrs.
15 Schulman and Venkataraman as confidential and has designated portions of the transcript from Ms.
16 Wilburn's deposition as confidential. Defendant has also designated as confidential exhibits marked
17 at these depositions. Plaintiffs have objected to Defendant's en masse designations without regard
18 to the specific content of the documents, as improper and in violation of the Protective Order.
19 Plaintiffs have also requested that Defendant provide tailored designations, as required.
20 Nevertheless, as of this time the documents are still designated confidential and therefore, as per the
21 Protective Order, Plaintiffs need to request that certain portions of Plaintiffs' Supplemental Reply
22 Memorandum be filed under seal.

23 4. Concurrent with this submission, Plaintiffs are lodging with the Clerk of the Court
24 two copies of Plaintiffs' Supplemental Reply Memorandum which identify by yellow highlighting
25 those portions which annex, cite, and/or refer to material designated by Defendant as confidential.
26 One copy is intended for review by this Court. Plaintiffs are also lodging with the Clerk of the Court

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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 PLAINTIFFS'
SUPPLEMENTAL REPLY MEMORANDUM DUE TO CONFIDENTIAL DESIGNATIONS BY GOOGLE, INC.**
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