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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

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12 CLRB HANSON INDUSTRIES, LLC d/b/a
 INDUSTRIAL PRINTING, and HOWARD
 13 STERN, on behalf of themselves and all others
 similarly situated,

14 Plaintiffs,

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v.

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GOOGLE, INC.,

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Defendant.

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CASE NO. C O5-03649 JW

**DECLARATION OF M.
 CHRISTOPHER JHANG IN
 RESPONSE TO PLAINTIFFS'
 ADMINISTRATIVE MOTION
 PURSUANT TO CIV. L.R. 79-5(d) TO
 FILE UNDER SEAL PORTIONS OF
 PLAINTIFFS' SUPPLEMENTAL
 REPLY MEMORANDUM
 (DOCUMENT NOS. 163-165)**

Date: June 11, 2007
 Time: 9:00 a.m.
 Dept.: Courtroom 8
 Judge: Honorable James Ware

1 I, M. Christopher Jhang, hereby declare as follows:

2 1. I am an attorney duly licensed to practice law in all of the courts of the State of
3 California and this Court, and am an attorney with the law firm of Perkins Coie LLP, counsel for
4 defendant Google Inc. ("Google") in this action. Pursuant to Civil Local Rule 79-5(d), I submit
5 this declaration in response to Plaintiffs' Administrative Motion Pursuant To Civ. L.R. 79-5(d)
6 To File Under Seal Portions Of Plaintiffs' Supplemental Reply Memorandum Due To
7 Confidential Designations By Defendant Google Inc. ("Plaintiffs' Motion to Seal Document"),
8 filed with this Court on May 29, 2007 (Document Nos. 163-165). I have personal knowledge of
9 the facts set forth below except as to those matters stated on information and belief, and as to
10 those matters, I believe them to be true. If called upon to testify, I could and would testify
11 competently as to the matters set forth herein.

12 **BASIS FOR SEALING OF GOOGLE'S CONFIDENTIAL INFORMATION**

13 2. On or about March 2, 2007, Google and plaintiffs CLRB Hanson Industries, LLC,
14 d/b/a Industrial Printing, and Howard Stern ("Plaintiffs") executed and filed with the Court their
15 [Proposed] Stipulated Protective Order Regarding Confidential Information. On May 15, 2007,
16 the Court executed the parties' Stipulated Protective Order (with amendments). A true and
17 correct copy of the Court-executed Stipulated Protective Order is attached hereto as Exhibit A.

18 3. The Stipulated Protective Order provides two tiers of confidential designations.
19 The first tier covers information designated "Confidential," which the Stipulated Protective
20 Order generally describes as "those things that may be disclosed to the parties or their counsel
21 for the purposes of the litigation, but which must be protected against disclosure to third parties."
22 Stipulated Protective Order, ¶ 4. The second tier covers information designated "Confidential –
23 Trade Secret/Attorneys' Eyes Only," which the protective order generally describes as "those
24 information or materials which are of a proprietary, business or technical nature that might
25 reasonably be of value to a competitor or potential customer of the party or nonparty holding the
26 proprietary rights thereto or might reasonably pose a commercial disadvantage to the producing
27 party and must be protected from disclosure." *Id.*

