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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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

Plaintiffs,

v.

GOOGLE, INC.,

Defendant.

Case No. C 05-03649 JW PVT

Hon. James W. Ware

**PLAINTIFFS' NOTICE OF MOTION
AND ADMINMISTRATIVE MOTION
UNDER LOCAL RULE 79-5(d) FOR
LEAVE TO FILE UNDER SEAL
PORTIONS OF DOCUMENTS DUE TO
CONFIDENTIAL DESIGNATIONS BY
DEFENDANT GOOGLE, INC.**

Civ. L.R. 79-5(d)
Courtroom: 8
Judge: Hon. James W. Ware

1 PLEASE TAKE NOTICE that Plaintiffs CLRB Hanson Industries, LLC d/b/a Industrial
2 Printing and Howard Stern respectfully submit this administrative motion pursuant to Civil Local
3 Rule 79-5(d) to place under seal portions of Plaintiffs' Opposition to Google's Motion for Partial
4 Summary Judgment ("Plaintiffs' Opposition") and Exhibit 1 to the supporting Declaration of
5 Rachel S. Black dated November 7, 2007 ("Black Declaration"). The highlighted/redacted
6 statements within Plaintiffs' Opposition refer to and/or quote portions of the Declaration of
7 Adam Samet filed in support of Google's Motion for Summary Judgment, which Google
8 considers to be confidential, proprietary or trade secret information. See 9/5/08 Declaration of
9 David T. Biderman (Docket Item No. 235). The highlighted/redacted portions of Plaintiffs'
10 Opposition also refer to and/or quote Mr. Samet's October 13, 2008 deposition testimony, which
11 Defendant Google, Inc., has designated "Confidential - Trade Secret Attorneys' Eyes Only"
12 pursuant to the Stipulated Protective Order filed on March 2, 2007 and executed by this Court
13 (with amendments) on May 15, 2007. Exhibit 1 to the Black Declaration attaches portions of the
14 transcript.

15
16 Accordingly, pursuant to Local Rule 79-5, Plaintiffs are filing the instant motion. Please
17 note that under Local Rule 79-5(d), within five days of this filing Defendant must file with the
18 Court and serve a declaration establishing that the designated information is sealable, and must
19 lodge and serve a narrowly tailored proposed sealing order, or must withdraw the designation of
20 confidentiality. If Defendant does not file its responsive declaration as required by Rule 79-5(d),
21 the filings referenced above will be made part of the public record.

22 Dated: November 10, 2008

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By _____s/Rachel S. Black
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CERTIFICATE OF SERVICE

I hereby certify that on the date written above, that I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system. The Court or the CM/ECF system will send notification of such filings to all CM/ECF participants.

I further certify that a true and correct copy of this document was sent via U.S. first-class mail, postage pre-paid to all non-CM/ECF participants.

s/ Rachel S. Black