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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

**DECLARATION OF DAVID T.
 BIDERMAN IN SUPPORT OF
 GOOGLE INC.'S ADMINISTRATIVE
 MOTION FOR LEAVE TO FILE
 UNDER SEAL DOCUMENTS IN
 CONNECTION WITH ITS REPLY IN
 SUPPORT OF ITS MOTION FOR
 PARTIAL SUMMARY JUDGMENT ON
 PLAINTIFFS' "120% RULE" AND
 "PARTIAL MONTH" CLAIMS**

Date: December 1, 2008
 Time: 9:00 a.m.
 Place: Courtroom 8
 Judge: Honorable James Ware

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I, David T. Biderman, hereby declare as follows:

1. I am an attorney duly licensed to practice law in all of the courts of the State of California and this Court, and am an attorney with the law firm of Perkins Coie LLP, counsel for defendant Google Inc. (“Google”) in this action. I submit this declaration in support of Google’s Administrative Motion for Leave to File Under Seal Documents in Connection with Its Reply in Support of Its Motion for Partial Summary Judgment on Plaintiffs’ “120% Rule” and “Partial Month” Claims. I have personal knowledge of the facts set forth below except as to those matters stated on information and belief, and as to those matters, I believe them to be true. If called upon to testify, I could and would testify competently as to the matters set forth herein.

2. Attached as Exhibit A is a true and correct copy of the parties’ Stipulated Protective Order Regarding Confidential Information, filed on March 2, 2007 and executed by the Court (with amendments) on May 15, 2007.

3. I have reviewed the following documents and determined that they contain, discuss, or refer to information or documents relating to or containing Google’s confidential, proprietary, or trade secret information including Google’s billing processes, and also disclose Plaintiffs’ confidential account data: **Google Inc.’s Reply in Support of Its Motion for Partial Summary Judgment on Plaintiffs’ “120% Rule” and “Partial Month” Claims and Exhibits 6 and 7 to the Declaration of Farschad Farzan in Support of Google Inc.’s Reply in Support of Its Motion for Partial Summary Judgment on Plaintiffs’ “120% Rule” and “Partial Month” Claims.**

I declare under penalty of perjury under the laws of the State of California and the United States that each of the above statements is true and correct.

