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 Plaintiffs' Counsel)

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

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

18 Plaintiffs,

19 vs.

20 GOOGLE, INC.,

21 Defendant.

Case No. C 05-03649 JW PVT

**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: 5**

**Judge: Hon. Patricia V. Trumbull**

24 PLEASE TAKE NOTICE that Plaintiffs CLRB Hanson Industries, LLC d/b/a Industrial  
 25 Printing and Howard Stern respectfully submit this administrative motion pursuant to Civil Local  
 26 Rule 79-5(d) to place under seal portions of Plaintiffs' Notice of Motion and Motion to Compel  
 27 Google, Inc.'s Answer to Interrogatories No. 4 and 5 and to Product Documents in Response to

1 Request for Production No. 29 and the supporting Declaration of Rachel S. Black. The  
2 highlighted/redacted statements within Plaintiffs' Motion refer to and/or quote portions of the  
3 Declaration of Adam Samet filed in support of Google's Motion for Summary Judgment, which  
4 Google considers to be confidential, proprietary or trade secret information. See 9/5/08  
5 Declaration of David T. Biderman (Docket Item No. 235). The highlighted/redacted portions of  
6 Plaintiffs' Motion to Compel also refer to and/or quote Mr. Samet's October 13, 2008 deposition  
7 testimony, which Defendant Google, Inc., has designated "Confidential - Trade Secret Attorneys'  
8 Eyes Only" pursuant to the Stipulated Protective Order filed on March 2, 2007 and executed by  
9 this Court (with amendments) on May 15, 2007. Ms. Black's declaration attached portions of Mr.  
10 Samet's deposition as Exhibit 6.

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

17 Dated: November 26, 2008.

Respectfully submitted,

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By            s/ Rachel S. Black  
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Attorneys for Plaintiffs

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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, as follows:

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