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 RICHARD W. WIERING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
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 10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA

JCS

12 SIDDHARTH HARIHARAN, individually
 13 and on behalf of all others similarly
 situated,

Case No.

11 2509

Plaintiff,

DECLARATION OF TADHG BOURKE
 IN SUPPORT OF NOTICE OF REMOVAL
 OF ACTION FROM STATE COURT
 PURSUANT TO 28 U.S.C. §§ 1331, 1332 &
 1441

v.

16 ADOBE SYSTEMS INC., APPLE INC.,
 17 GOOGLE INC., INTEL CORP., INTUIT
 INC., LUCASFILM LTD., PIXAR, AND
 18 DOES 1-200,

Defendants.

21 I, TADHG BOURKE, hereby declare:

22 1. I am employed as Manager, People Technology and Operations at Google Inc.
 23 ('Google'). I have held this position at Google since October 2007. I provide this declaration in
 24 support of Defendants' Joint Notice of Removal of Action from State Court Pursuant to 28 U.S.C.
 25 §§ 1331, 1332, & 1441. Unless otherwise indicated below, the statements in this declaration are
 26 based upon my personal knowledge or corporate records maintained by Google in the ordinary
 27 course of business.
 28

t a d h g b o u r k e DECL. ISO NOTICE OF
 REMOVAL of a c t i o n

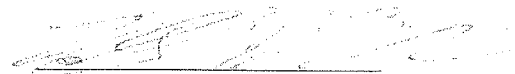
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2. I understand that Plaintiff purports to represent a class of individuals described in Paragraph 29 of the Complaint in this action as follows:

All natural persons employed by Defendants in the United States on a salaried basis during the period from January 1, 2005 through January 1, 2010. Excluded from the class are retail employees; corporate officers, members of the boards of directors, and senior executives of Defendants who entered into the illicit agreements alleged herein; and any and all judges and justices, and chambers' staff, assigned to hear or adjudicate any aspect of this litigation.

3. As of May 13, 2011, Google had approximately 15,854 salaried, non-retail employees who reside in the United States. As of that same date, Google had approximately 10,882 salaried, non-retail employees who reside in California. Due to the shortness of time, I have not yet been able to make this determination for the entire purported class period. While Google's salaried domestic work force was more concentrated in California at the beginning of the purported class period, Google has significantly increased its salaried domestic work force over the past several years and that growth has occurred at a higher rate for salaried domestic employees outside of California than within California. As a consequence, the number of salaried, non-retail may not be materially different than the percentage that the above numbers represent.

4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 23rd day of May, 2011 at Mountain View, California.


Tadhg Bourke