

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, STATE
OF NEW YORK, STATE OF
WASHINGTON, STATE OF CALIFORNIA,
STATE OF ILLINOIS, COMMONWEALTH
OF MASSACHUSETTS, STATE OF OHIO,
AND COMMONWEALTH OF
PENNSYLVANIA,

Plaintiffs,

v.

AT&T INC., T-MOBILE USA, INC., AND
DEUTSCHE TELEKOM AG,

Defendants.

Civil Action No. 1:11-cv-01560-ESH

Hon. Ellen S. Huvelle

MOTION TO INTERVENE

Pursuant to Rule 24 of the Federal Rules of Civil Procedure, non-party Google Inc. (“Google”) moves to intervene as of right, or in the alternative, to permissively intervene, for the limited purpose of seeking additional relief under the Stipulated Protective Order Concerning Confidentiality (“Protective Order”) entered in the above-captioned action (“this Action”). Google does not seek intervention for any other purpose at this time, including for the purpose of litigating a substantive claim or participating in discovery in this Action. Google files this motion for limited intervention in order to exercise its right as a “non-party Protected Person” under Paragraph B.2 of the Protective Order to “seek additional relief from the Court.” The interests of Google — a non-party Protected Person under the Protective Order — are not adequately represented by any of the existing parties to this litigation. Google therefore wishes to intervene for the limited purpose of protecting its interest in safeguarding confidential, competitively sensitive information that may be disclosed in this Action.

WHEREFORE, Google moves for an Order permitting Google to intervene in this matter for the limited purpose of seeking additional relief under the Stipulated Protective Order Concerning Confidentiality (“Protective Order”) entered in the above-captioned action, pursuant to Fed. R. Civ. P. 24.

Dated: September 26, 2011

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