



Although the entire transcript was marked by comScore as “CONFIDENTIAL—ATTORNEYS’ EYES ONLY,” comScore previously indicated (in the context of Plaintiffs’ filing of their Supplemental Motion for Class Certification) that the excerpted pages are not confidential and may be filed publicly;

b. Exhibit C: Email from Sarah Villyard to Armando Pantano dated Dec. 27 2012, produced at Bates No. CS0071631;

c. Exhibit D: Email from Latoya Peterson-Renfrow to Helena Barkman dated May 23, 2007, produced at Bates No. CS0042536.

3. The Protective Order prohibits either Party from publicly disclosing documents marked as “CONFIDENTIAL,” “CONFIDENTIAL—ATTORNEYS’ EYES ONLY,” or “Highly Confidential—Source Code.” (Dkt. No. 72, ¶¶ 7, 9.)

4. Accordingly, and pursuant to comScore’s counsel’s instruction and the Protective Order entered in this case, Plaintiffs seek leave to file Exhibits C and D, described *supra*, ¶ 2, entirely under seal.

5. Additionally, because the Response quotes material from Exhibits C and D to the Balabanian Declaration, Plaintiffs seek leave to file the Response partially under seal.

**WHEREFORE**, Plaintiffs respectfully move the Court, pursuant to Local Rules 5.8 and 26.2 for an Order:

- (i) Granting them leave to file entirely under seal Exhibits C and D to the Balabanian Declaration;
- (ii) Granting them leave to file partially under seal Plaintiffs’ Response in Opposition to Defendant’s Renewed Motion to Dismiss Under Rule 12(b)(3); and
- (ii) Awarding such other and further relief as the Court deems equitable and just.

Dated: November 22, 2013

Respectfully submitted,

MIKE HARRIS AND JEFF DUNSTAN,  
INDIVIDUALLY AND ON BEHALF OF A CLASS OF  
SIMILARLY SITUATED INDIVIDUALS,

By: s/ Benjamin S. Thomassen  
One of Plaintiffs' Attorneys

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**CERTIFICATE OF SERVICE**

I, Benjamin S. Thomassen, an attorney, certify that on November 22, 2013, I served the above and foregoing *Plaintiffs' Motion to File Documents Under Seal*, by causing true and accurate copies of such paper to be filed and transmitted to all counsel of record via the Court's CM/ECF electronic filing system, and further by causing true and accurate copies of such paper to be transmitted to all counsel of record via electronic mail on this 22nd of November 22, 2013.

s/ Benjamin S. Thomassen \_\_\_\_\_