

ORIGINAL

1 KEVAN FORNASERO, Bar No. 274943
2 KFornasero@perkinscoie.com
3 PERKINS COIE LLP
4 Four Embarcadero Center, Suite 2400
5 San Francisco, California 94111-4131
6 Telephone: 415.344.7000
7 Facsimile: 415.344.7050

8 A. GIDARI, Wash. Bar No. 18521
9 (*pro hac vice* application to be filed)
10 AGidari@perkinscoie.com
11 PERKINS COIE LLP
12 1201 Third Avenue, Suite 4900
13 Seattle, Washington 98101
14 Telephone: 206.359.8000
15 Facsimile: 206.359.9000

16 Attorneys for Petitioner
17 GOOGLE INC.

FILED
MAR 29 2013
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

18 UNITED STATES DISTRICT COURT
19 FOR THE NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

SI

21 **CV 13 80 063** Case No. **MISC**

22 IN RE GOOGLE INC.'S PETITION TO
23 SET ASIDE LEGAL PROCESS,

24 Petitioner.

25 **PETITIONER GOOGLE INC.'S NOTICE**
26 **OF MOTION AND ADMINISTRATIVE**
27 **MOTION PURSUANT TO LOCAL RULES**
28 **7-11 AND 79-5 FOR LEAVE TO FILE**
DOCUMENTS UNDER SEAL

Date: T.B.D.
Time: T.B.D.
Courtroom: T.B.D.
Judge: T.B.D.

1 **TO ALL POTENTIAL PARTIES OF RECORD:**

2 **PLEASE TAKE NOTICE** that Petitioner Google Inc. ("Google") respectfully submits
3 this Administrative Motion Pursuant to Northern District of California Local Rules 7-11 and 79-
4 5 (b) for Leave to File Documents Under Seal. Google hereby moves the Court for an Order
5 sealing the following documents:

- 6 1. Google's Petition to set aside legal process; and
- 7 2. Attachment A filed concurrently with Google's Petition.

8 This Administrative Motion is based on the Memorandum of Points and Authorities set
9 forth below, the Declaration of Kevan Fornasero in Support of this Motion submitted herewith,
10 and the files and records on file in the above-entitled action.

11
12 DATED: March 29, 2013

PERKINS COIE LLP

13 By: 
14 Kevan Fornasero

15 Attorneys for Petitioner
16 GOOGLE INC.
17
18
19
20
21
22
23
24
25
26
27
28

MEMORANDUM OF POINTS AND AUTHORITIES

Pursuant to Northern District of California Local Rules 7-11 and 79-5 (b), Google respectfully submits this Administrative Motion for an Order allowing Google to file under seal the following documents, which Google is lodging with the Court on March 29, 2013:

1. Google’s Petition pursuant to 18 U.S.C. §§ 3511 (a) and (b); and
2. Attachment A filed concurrently with Google’s Petition.

Petitions filed under Section 3511 of Title 18 to set aside legal process issued under Section 2709 of Title 18 must be filed under seal because Section 2709 prohibits disclosure of the legal process. 18 U.S.C. § 2709(c)(1). Section 3511(d) of Title 18 requires that “[p]etitions [under this section] must . . . be kept under seal to the extent and as long as necessary to prevent the unauthorized disclosure of a request for records . . . made to any person or entity” under a list of federal statutes, one of which is implicated by the Petition. 18 U.S.C. § 3511(d).

Accordingly, Google respectfully requests that the Court grant its Administrative Motion to Seal in the form of the Proposed Order filed herewith.

DATED: March 29, 2013

PERKINS COIE LLP

By: 
Kevan Fornasero

Attorneys for Petitioner
GOOGLE INC.