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KEKER & VAN NEST LLP
ROBERT A. VAN NEST - # 84065
rvannest@kvn.com
CHRISTA M. ANDERSON - # 184325
canderson@kvn.com
DANIEL PURCELL - # 191424
dpurcell@kvn.com
633 Battery Street
San Francisco, CA 94111-1809
Telephone: 415 391 5400
Facsimile: 415 397 7188

KING & SPALDING LLP
DONALD F. ZIMMER, JR. - #112279
fzimmer@kslaw.com
CHERYL A. SABNIS - #224323
csabnis@kslaw.com
101 Second Street, Suite 2300
San Francisco, CA 94105
Tel: 415.318.1200
Fax: 415.318.1300

KING & SPALDING LLP
SCOTT T. WEINGAERTNER
(Pro Hac Vice)
sweingaertner@kslaw.com
ROBERT F. PERRY
rperry@kslaw.com
BRUCE W. BABER (Pro Hac Vice)
1185 Avenue of the Americas
New York, NY 10036
Tel: 212.556.2100
Fax: 212.556.2222

IAN C. BALLON - #141819
ballon@gtlaw.com
HEATHER MEEKER - #172148
meekerh@gtlaw.com
GREENBERG TRAURIG, LLP
1900 University Avenue
East Palo Alto, CA 94303
Tel: 650.328.8500
Fax: 650.328.8508

Attorneys for Defendant
GOOGLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No. 3:10-cv-03561 WHA

**DECLARATION OF DAVID ZIMMER IN
SUPPORT OF ADMINISTRATIVE
MOTION TO SEAL PORTIONS OF
GOOGLE'S OPPOSITION TO ORACLE'S
RENEWED MOTION TO STRIKE
PORTIONS OF DR. JAMES KEARL'S
EXPERT REPORT**

Dept.: Courtroom 8, 19th Floor
Judge: Hon. William Alsup

1 I, DAVID ZIMMER, declare as follows:

2 1. I am an associate with the law firm of Kecker & Van Nest LLP, counsel to Google
3 Inc. (“Google”) in the present case. I submit this declaration in support of Google’s
4 Administrative Motion to Seal Portions of its Opposition to Oracle America, Inc.’s (“Oracle”)
5 Renewed Motion to Strike Portions of Dr. James Kearl’s Expert Report. I have knowledge of the
6 facts set forth herein, and if called to testify as a witness thereto could do so competently under
7 oath.

8 2. The redacted portions of Google’s Opposition to Oracle’s Renewed Motion to
9 Strike Portions of Dr. James Kearl’s Expert Report expressly disclose or would allow others to
10 easily deduce Google’s sensitive, non-public financial data, such as costs, revenues, and profits,
11 as well as projected costs, revenues, and profits, associated with Android. It also contains
12 sensitive, non-public information about Google’s financial management practices and
13 methodologies. This includes the redacted material at: 1:1, 2:23-28, 3:1-2, and 3:20-28 of the
14 Opposition. Public release of this information would cause great and undue harm to Google.

15 3. The redacted portions of Exhibit A of the Declaration of Daniel Purcell in Support
16 of Google’s Opposition to Oracle’s Renewed Motion to Strike Portions of Dr. James Kearl’s
17 Expert Report. Exhibit A contains excerpts from the deposition of Google executive Andy Rubin
18 regarding Android financial documentation and accounting procedures and contains sensitive,
19 non-public information about Google’s financial management practices and methodologies.
20 Public release of this information would cause great and undue harm to Google.

21 I declare under penalty of perjury that the foregoing is true and correct and that this
22 declaration was executed at San Francisco, California on May 1, 2012.

23
24 By: /s/ David Zimmer
25 DAVID ZIMMER
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