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GOOGLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE GOOGLE INC. GMAIL
LITIGATION

Case No. 5:13-md-02430 LHK (PSG)

**DECLARATION OF HAN LEE IN
SUPPORT OF DEFENDANT
GOOGLE INC.'S ADMINISTRATIVE
MOTION TO FILE DOCUMENTS
AND PORTIONS OF DOCUMENTS
UNDER SEAL [D123]**

Date: January 16, 2014
Time: 1:30 p.m.
Dept.: Courtroom 8 - 4th Floor
Judge: Hon. Lucy H. Koh

[PUBLIC REDACTED VERSION]

Exhibit B

**(Exhibit A-1 to Reply Declaration of Proposed Class Counsel Sean F. Rommel
in Support of Plaintiffs' Consolidated Motion for Class Certification)**

[Re: ECF No. 113-1]

**FILED UNDER SEAL PER JUDGE KOH'S AUGUST 6, 2014 ORDER
[ECF NO. 180]**

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE GOOGLE INC. GMAIL LITIGATION

Master Docket No.: 13-MD-02430-LHK

THIS DOCUMENT RELATES TO:
ALL ACTIONS

**REPLY DECLARATION OF PROPOSED
CLASS COUNSEL SEAN F. ROMMEL IN
SUPPORT OF PLAINTIFFS'
CONSOLIDATED MOTION FOR CLASS
CERTIFICATION**

Date: January 16, 2014
Time: 1:30 p.m.
Judge: Hon. Lucy H. Koh
Place: Courtroom 8 4th Floor

Trial Date: October 20, 2014

Exhibit "A-1"

UNREDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

**REPLY DECLARATION OF PROPOSED CLASS COUNSEL SEAN F. ROMMEL IN
SUPPORT OF PLAINTIFFS' CONSOLIDATED MOTION FOR CLASS
CERTIFICATION**
5:13-MD-002430-LHK

HIGHLY CONFIDENTIAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE GOOGLE INC. GMAIL No.
LITIGATION. 5:13-MD-002430 LHK (PSG)

_____/

-- HIGHLY CONFIDENTIAL --

Videotaped Federal Rule 30(b)(6) deposition of
GOOGLE INC., by BRANDON LONG, taken at the offices
of Cooley LLP, 101 California Street, San Francisco,
California, commencing at 9:58 A.M., on Wednesday,
August 28, 2013, before Leslie Rockwood, RPR,
CSR No. 3462.

Job No. 1720764A

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1 this data flow.

2 A. So [REDACTED], the message is [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED] information about the

5 message.

11:01:26

6 Q. Does the [REDACTED]

7 [REDACTED] to the message?

8 MR. SOMVICHIAN: Objection. Vague and

9 ambiguous.

10 THE WITNESS: It -- [REDACTED]

11:01:44

11 but it -- the information from the [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 Q. BY MR. TAPLEY: All right. So where is the

15 message at this point in time [REDACTED]

11:02:26

16 [REDACTED] is doing what it does to the message?

17 MR. SOMVICHIAN: Objection. Vague and

18 ambiguous.

19 THE WITNESS: There is a [REDACTED]

20 [REDACTED] there is a [REDACTED]

11:02:39

21 [REDACTED] and there's a [REDACTED]

22 [REDACTED]

23 Q. BY MR. TAPLEY: Is the Gmail recipient able to

24 view the message at this point?

25 A. No.

11:03:05

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1 Q. All right. What happens [REDACTED]

2 [REDACTED]

3 A. The message is [REDACTED]

4 [REDACTED]

5 Q. Again?

11:03:28

6 A. Yes.

7 Q. And what happens next?

8 A. The message is next -- [REDACTED]

9 [REDACTED]

10 [REDACTED]

11:04:00

11 Q. Is the message readable by the Gmail recipient
12 at this point?

13 A. No.

14 Q. All right. So we've got sort of a fork in the

15 road where something different may happen to a Google

11:04:25

16 Apps message than a Gmail.com message?

17 A. Yes.

18 Q. Is this the first time we've taken a fork? Have

19 we missed a prior fork?

20 A. There have [REDACTED] -- not -- the things

11:04:38

21 before this are [REDACTED] I guess. There was

22 [REDACTED]

23 [REDACTED] but this is the [REDACTED]

24 [REDACTED]

25 Q. Okay. Then I want to -- I want us to focus on

11:05:06

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1 A. There are multiple web interfaces, and then yes;
2 otherwise, your email client -- an email client, yes.

3 Q. Are there email [REDACTED]
4 [REDACTED]

5 A. To my knowledge, no.

11:30:51

6 Q. Let's go back to the [REDACTED]
7 [REDACTED] the fork. What happens next?

8 A. What happens next depends on what the [REDACTED]

9 [REDACTED] The [REDACTED]

10 [REDACTED] 11:32:19

11 messages. Those [REDACTED] they can

12 [REDACTED] or they can

13 [REDACTED] they can [REDACTED]

14 contents of the message.

15 Q. Are there a [REDACTED] at

11:32:42

16 the [REDACTED]

17 A. Yes, there are certainly [REDACTED]

18 [REDACTED]

19 Q. Is there essentially a checklist that you can

20 choose what you want from it, [REDACTED] 11:33:03

21 [REDACTED]

22 A. You -- [REDACTED] consists of,

23 you know, a [REDACTED]

24 [REDACTED]

25 Q. Does Google allow for a [REDACTED] or

11:33:19

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1 they [REDACTED] that essentially you check the box which
2 ones you would like to apply?

3 A. These -- these are -- the [REDACTED]

4 [REDACTED]

5 Otherwise, I'm not sure what the difference is between a 11:33:43

6 check box and a -- I don't -- there is a limited set of

7 what you can do [REDACTED] yes.

8 Q. Okay. Can you [REDACTED] or is there a

9 set of --

10 A. You [REDACTED] 11:33:59

11 [REDACTED] as -- [REDACTED]

12 Q. The [REDACTED]

13 [REDACTED] Is that fair enough?

14 A. That is correct.

15 Q. When was [REDACTED] to the 11:34:42

16 Gmail process?

17 A. I'm not -- it was [REDACTED]

18 [REDACTED] It was used previously to that, but I'm

19 not familiar with how it was used prior to that.

20 Q. What information from the [REDACTED] 11:35:25

21 process does the Gmail delivery team use?

22 A. The Gmail delivery team? So in [REDACTED]

23 the [REDACTED] so that the [REDACTED]

24 [REDACTED]

25 [REDACTED] 11:35:51

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1 [REDACTED] I don't know if --

2 Q. Okay. That's why we're doing this, to make sure
3 I've got it right.

4 A. That's an important question.

5 Q. Thank you. [REDACTED] 12:42:46

6 [REDACTED]
7 A. Yes.

8 Q. And then to [REDACTED]

9 A. [REDACTED]

10 [REDACTED] 12:43:07

11 Q. And next back to [REDACTED]

12 [REDACTED]
13 A. Yes.

14 Q. Then next to [REDACTED]

15 A. Yes. 12:43:22

16 Q. Now, I don't understand what happens after

17 [REDACTED] I thought I understood from the Interrogatory

18 Responses before I got here today that [REDACTED]

19 [REDACTED] but we didn't talk about that earlier

20 this morning. So tell me what's next after [REDACTED] 12:43:54

21 A. It -- the message [REDACTED]

22 the message is [REDACTED] As part

23 of that [REDACTED] would be [REDACTED]

24 [REDACTED] to return the [REDACTED]

25 [REDACTED] Those documents are also [REDACTED] 12:44:23

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