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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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In re:

Case No. CV 13-3072-EMC

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MYFORD TOUCH CONSUMER LITIGATION

**DECLARATION OF CHRISTOPHER
EIKEY IN SUPPORT OF PLAINTIFFS'
ADMINISTRATIVE MOTION TO FILE
DOCUMENT UNDER SEAL**

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DECLARATION OF CHRISTOPHER EIKEY

I, Christopher Eikey, declare as follows:

1. My name is Christopher Eikey. I am a Design Analysis Engineer for Ford Motor Company (“Ford”) and have been employed in various positions by Ford for more than 16 years.
2. I am over 18 years old. If called as a witness, I could and would testify under oath to the facts stated in this declaration.
3. The facts stated in this declaration are based upon my personal knowledge or on my research and review of records and information currently maintained in the ordinary course of business by Ford.
4. In this declaration, I discuss certain proprietary, trade secret, and confidential information of Ford. I do not intend, and Ford has not authorized me, to waive any protections or privileges Ford may have as to proprietary, trade secret, or confidential information, or to waive Ford’s attorney-client privilege as to any of its communications or waive the work product immunity developed in anticipation of or in response to litigation. I intend only to describe certain factual matters that are pertinent to this declaration.
5. As part of my job responsibilities and duties, and based on my background and experience with Ford, I am familiar with various types of engineering, quality and other analysis-related documents that Ford generates in its normal course of business. I also am familiar with the types of documents that Ford deems confidential and commercially sensitive business information, the public disclosure of which could cause competitive harm to Ford.
6. Plaintiffs in the instant litigation have filed a Second Amended Complaint (“SAC”) that references and quotes portions various documents that Ford produced in this litigation and designated as Confidential pursuant to a Stipulated Protective Order. Ford requests that several of those references or quotes be kept confidential because of their commercially sensitive nature. Ford has submitted a version of the SAC that redacts the information it seeks to protect. I submit this declaration to explain the confidential nature of that redacted information, which I do below in the order in which the information appears in the SAC.

1 7. Paragraph 13 of the SAC (sentences 2-5) includes quotes from two internal Ford
2 documents that reveal Ford's confidential analysis of its internal product development processes
3 and resource allocation, addressing root-cause issues regarding technical challenges.

4 8. Paragraph 16 of the SAC (sentences 2-5) includes confidential information about
5 Ford's plans related to a product that is currently in production, as well as one that has not yet
6 been released to the market. The discussion includes the stages in Ford's internal product
7 development cycle and the detailed results of Ford's internal analysis of that product (including
8 quantification of company expectations for one product performance metric).

9 9. Paragraph 254 of the SAC includes information about Ford's confidential internal
10 development processes for testing and evaluating products, specifically commenting on one
11 aspect of one of the tests Ford employs.

12 10. Paragraph 255 of the SAC includes information about Ford's confidential internal
13 product development processes for testing products and one engineer's views regarding the
14 outcome of those processes, including lessons learned.

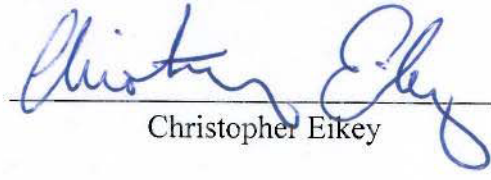
15 11. Paragraph 256 of the SAC (sentences 2-9) includes information about Ford's
16 confidential internal product development processes for developing, testing, and validating
17 products and several employee's views regarding the outcome of those processes, including
18 specific descriptions of technical issues and their root cause.

19 12. The automotive industry is highly competitive. The above-described information
20 is maintained confidentially by Ford to protect its processes for developing, testing, and
21 improving products and features and responding to customer concerns and technical issues. This
22 type of information is commercially sensitive business information that is not made available to
23 the general public or to Ford's competitors. Its disclosure would cause Ford harm by providing
24 its competitors with processes Ford employs, analysis Ford conducts, and lessons that Ford
25 learned as one of the first developers of this type of product.

26 I declare under the penalty of perjury under the laws of the United States that the
27 foregoing is true and correct.
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Executed this 15th day of May, 2015, at Dearborn, Michigan.


Christopher Eikey