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13 Attorneys for Defendants
AT&T CORP. and AT&T INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

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18 TASH HEPTING, GREGORY HICKS,
CAROLYN JEWEL and ERIK KNUTZEN
19 on Behalf of Themselves and All Others
Similarly Situated,

20 Plaintiffs,

21 vs.

22 AT&T CORP., AT&T INC. and DOES 1-20,
23 inclusive,

24 Defendants.

No. C-06-0672-VRW

**DECLARATION OF BRUCE A.
ERICSON IN SUPPORT OF
SEALING DOCUMENTS [DKT. 30-
32]**

[Civ. L.R. 7-11, 79-5]

Courtroom: 6, 17th Floor
Judge: Hon. Vaughn R. Walker

Filed concurrently:
1. Memo of Points and Authorities
2. Proposed Order

1 I, **BRUCE A. ERICSON**, declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and
3 admitted to practice before this Court, and am a partner of the law firm of Pillsbury
4 Winthrop Shaw Pittman LLP, counsel for defendant **AT&T CORP.** (“AT&T”) and also for
5 specially appearing defendant **AT&T INC.** (AT&T and AT&T Inc. are collectively
6 referred to as the “defendants”). Except for those matters stated on information and belief,
7 which I believe to be true, I have personal knowledge of the facts stated herein and, if
8 called as a witness, I could and would competently testify thereto.

9 2. On April 5, 2006, plaintiffs served defendants with copies of the following
10 documents, which they also lodged with the Court under seal, pursuant to Civil Local Rule
11 79-5(d):

12 (a) Plaintiffs’ Amended Notice of Motion and Motion for Preliminary
13 Injunction; Plaintiffs’ Memorandum of Points and Authorities in Support of Motion
14 for Preliminary Injunction (“Preliminary Injunction Memorandum”) (*see* Dkt. 30);

15 (b) Declaration of Mark Klein in Support of Plaintiffs’ Motion for
16 Preliminary Injunction (with exhibits) (“Confidential Klein Declaration”)
17 (*see* Dkt. 31); and

18 (c) Declaration of J. Scott Marcus in Support of Plaintiffs’ Motion for
19 Preliminary Injunction (with exhibits) (“Confidential Marcus Declaration”)
20 (*see* Dkt. 32).

21 I will refer to these collectively as the “Lodged Documents.”

22 3. I am informed and believe that the three exhibits attached as Exhibits A, B
23 and C to the Confidential Klein Declaration constitute confidential, proprietary, trade secret
24 information owned by AT&T. I will refer to these three exhibits as the “Confidential
25 Documents.” The remainder of the Lodged Documents are derived from and entirely
26 dependent upon the Confidential Documents.

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1 4. As discussed more fully in the Declaration of James W. Russell in Support
2 of Motion of Defendant AT&T Corp. to Compel Return of Confidential Documents, filed
3 under seal on April 10, 2006 (*see* Dkt. 40) and incorporated herein by reference
4 (“Confidential Russell Declaration”), the Lodged Documents contain detailed non-public
5 information about critical communications infrastructure operated by AT&T.

6 5. As discussed more fully in the Confidential Russell Declaration, AT&T
7 considers the information in the Confidential Documents highly confidential and
8 proprietary, and such information has value generally unknown to the public or AT&T’s
9 competitors.

10 6. As discussed more fully in the Confidential Russell Declaration, AT&T is
11 careful to preserve the confidentiality of information contained in the Lodged Documents,
12 and public disclosure of the information contained therein could endanger AT&T’s ability
13 to provide services and carry out its business activities. Exposure to the threats that would
14 arise from disclosure of the Lodged Documents would harm AT&T and its customers.

15 7. The Lodged Documents describe the contents of the Confidential
16 Documents in great detail. Putting them into the public record of this Court would injure
17 AT&T in the same way as making the Confidential Documents themselves public.

18 I declare under penalty of perjury under the laws of the State of California and the
19 United States that the foregoing is true and correct.

20 Executed this 12th day of April, 2006, at San Francisco, California.

21
22 /s/ Bruce A. Ericson
23 Bruce A. Ericson
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