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HP INC.
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

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12 IN RE HP PRINTER FIRMWARE UPDATE
LITIGATION

CASE NO. 5:16-cv-05820-EJD-SVK

**DECLARATION OF SAMUEL G.
LIVERSIDGE IN SUPPORT OF
DEFENDANT HP INC.'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL DEFENDANT'S
OPPOSITION TO PLAINTIFFS' MOTION
FOR ATTORNEYS' FEES, COSTS, AND
SERVICE AWARDS AND ATTACHMENT
IN SUPPORT THEREOF**

1 Pursuant to Civil Local Rule 79-5, I, Samuel G. Liversidge, hereby declare as follows:

2 1. I am a partner in the law firm of Gibson, Dunn & Crutcher LLP, counsel of record for
3 Defendant HP Inc. (“HP”) in the above-referenced action. I submit this declaration in support of HP’s
4 Administrative Motion to File Under Seal certain portions of HP’s Opposition to Plaintiffs’ Motion for
5 Attorneys’ Fees, Costs, and Service Awards (Dkt. 119).

6 2. Each of the facts stated herein is true, correct, and, unless otherwise noted, within my
7 personal knowledge. If called upon as a witness, I could and would testify as to the truth of these
8 statements.

9 3. Exhibit 1 to HP’s Opposition to Plaintiffs’ Motion for Attorneys’ Fees, Costs, and
10 Service Awards contains excerpts from the deposition of Matthew Barkley, who was deposed as a Rule
11 30(b)(6) witness on behalf of HP. Mr. Barkley’s testimony was designated as “HIGHLY
12 CONFIDENTIAL – ATTORNEYS’ EYES ONLY” pursuant to the Stipulated Protective Order entered
13 in this case on April 11, 2017. (Dkt. 65.) Mr. Barkley’s testimony contains confidential, proprietary,
14 and commercially sensitive details about the design and development of security technology in HP
15 printers. If made publicly available, this information would give HP’s competitors unfair insight into
16 HP’s strategy regarding the design and security of its printers, which are essential to HP’s business
17 model. It would also unfairly harm HP’s business interests by allowing infringing parties to more
18 easily decrypt, clone, or otherwise interfere with HP’s security protections, which were developed at
19 great expense to HP.

20 4. HP’s Responses and Objections to Plaintiffs’ First Set of Interrogatories (Dkt. 91-15)
21 contains information which HP designated as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES
22 ONLY” pursuant to the Stipulated Protective Order entered in this case on April 11, 2017. (Dkt. 65.)
23 HP’s interrogatory responses contain information regarding how HP runs its operations and makes
24 critical business decisions. They also contain internal financial information, goals and designs for
25 implementing security, and identification and discussion of competition. If made publicly available,
26 this information would give HP’s competitors unfair insight into how HP has run and intends to run its
27 business, as well as strategy regarding the design and security of its printers, which are essential to

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1 HP's business model. It would also unfairly harm HP's business interests by revealing internal business
2 operations and communications to competitors and third parties.

3 5. I have reviewed HP's Opposition to Plaintiffs' Motion for Attorneys' Fees. All of the
4 redacted portions of that document contain information that either quotes from or describes information
5 contained in Mr. Barkley's deposition testimony of HP's interrogatory responses. That information is
6 therefore equally sensitive and confidential as the underlying documents, for the same reasons detailed
7 above.

8 I declare under penalty of perjury under the laws of the United States that the foregoing is true
9 and correct.

10 Dated: March 26, 2019

11 _____
12 /s/ Samuel G. Liversidge
13 Samuel G. Liversidge