

**EXHIBIT A**

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18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN JOSE DIVISION**

21 *IN RE: NETFLIX PRIVACY LITIGATION*

22 Case No. 5:11-cv-00379-EJD

23 **DECLARATION IN SUPPORT OF**  
24 **PLAINTIFFS’ ADMINISTRATIVE**  
25 **MOTION FOR LEAVE TO FILE AN**  
26 **OVERSIZED MOTION FOR AND**  
27 **MEMORANDUM IN SUPPORT OF**  
28 **FINAL APPROVAL OF CLASS**  
**ACTION SETTLEMENT AND**  
**AWARD OF ATTORNEYS’ FEES,**  
**EXPENSES, AND INCENTIVE**  
**AWARD**

[Hon. Edward J. Davila]

Pursuant to 28 U.S.C. § 1746, I hereby declare and state as follows:

1. I am over the age of eighteen and am fully competent to make this declaration.

I make this declaration based upon personal knowledge unless otherwise indicated.

1           2.       I am an attorney admitted to practice *pro hac vice* in the United States District  
2 Court for the Northern District of California.

3           3.       I am a partner at the law firm of Edelson McGuire, LLC, which has been  
4 retained to represent the named Plaintiffs in this matter.

5           4.       I make this declaration in support of Plaintiffs' Administrative Motion for  
6 Leave to File an Oversized Motion for and Memorandum in Support of Final Approval of  
7 Class Action Settlement and Award of Attorneys' Fees, Expenses, and Incentive Award.

8           5.       Plaintiffs' Motion for and Memorandum in Support of Final Approval of  
9 Class Action Settlement and Award of Attorneys' Fees, Expenses, and Incentive Award is  
10 currently due on October 31, 2012.

11          6.       Pursuant to Civil Local Rule 7-2(b), absent an Order from the Court,  
12 Plaintiffs' motion and memorandum would be limited to 25 pages in length.

13          7.       Plaintiffs in good faith believe that a Motion for and Memorandum in Support  
14 of Final Approval of Class Action Settlement and Award of Attorneys' Fees, Expenses, and  
15 Incentive Award in excess of 25 pages will be necessary to fully and effectively set forth the  
16 relevant facts and arguments.

17          8.       Plaintiffs' counsel has spoken with Defendant's counsel and, while  
18 Defendant's counsel indicated that they were unable to review and sign a stipulation today,  
19 Defendant's counsel also indicated that they have no objection to Plaintiffs filing a Motion  
20 for and Memorandum in Support of Final Approval of Class Action Settlement and Award of  
21 Attorneys' Fees, Expenses, and Incentive Award in excess of 25 pages and up to 50 pages.

22               I declare under penalty of perjury that the foregoing is true and correct.  
23 Executed on October 26, 2012 at Chicago, Illinois.

24  
25   /s/ Rafey S. Balabanian  
26   Rafey S. Balabanian  
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