

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' AMENDED**
25 **ADMINISTRATIVE MOTION FOR**
26 **LEAVE TO FILE AN OVERSIZED**
27 **MOTION FOR AND MEMORANDUM**
28 **IN SUPPORT OF 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' Amended Administrative
6 Motion for Leave to File an Oversized Motion for and Memorandum in Support of Final
7 Approval of Class Action Settlement and Award of Attorneys' Fees, Expenses, and Incentive
8 Award.

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

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

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

18 8. Plaintiffs filed an administrative motion with this Court on Friday, October 26,
19 2012 requesting leave to file a Motion and Memorandum in excess of 25 pages and up to 50
20 pages—but, upon further review, reasonably believe that additional pages will be required.

21 9. Accordingly, Plaintiffs' counsel has spoken with Defendant's counsel and,
22 while Defendant's counsel indicated that they were unable to review and sign a stipulation
23 today (because they are traveling), Defendant's counsel indicated that they have no objection
24 to Plaintiffs filing a Motion for and Memorandum in Support of Final Approval of Class
25 Action Settlement and Award of Attorneys' Fees, Expenses, and Incentive Award in excess
26 of 25 pages and up to 60 pages.

27 I declare under penalty of perjury that the foregoing is true and correct.

1 Executed on October 29, 2012 at Chicago, Illinois.

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/s/ Rafey S. Balabanian
Rafey S. Balabanian

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