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Attorneys for Plaintiffs  
WHATSAPP INC. and FACEBOOK, INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WHATSAPP INC., a Delaware corporation,  
and FACEBOOK, INC., a Delaware  
corporation,

Plaintiffs,

v.

NSO GROUP TECHNOLOGIES LIMITED  
and Q CYBER TECHNOLOGIES LIMITED,

Defendants.

Case No. 4:19-cv-07123-PJH

**DECLARATION OF DANIEL J. GROOMS IN  
SUPPORT OF WHATSAPP'S  
ADMINISTRATIVE MOTION TO SEAL  
DOCUMENTS RELATED TO WHATSAPP'S  
MOTION TO DISQUALIFY DEFENSE  
COUNSEL BASED ON PRIOR  
REPRESENTATION IN A SEALED MATTER**

Judge: Hon. Phyllis J. Hamilton  
Date: None required (L.R. 7-11(c))

**REDACTED VERSION OF  
DOCUMENT SOUGHT TO BE SEALED**

1 I, Daniel J. Grooms, declare:

2 1. I am a partner with the law firm of Cooley LLP and counsel for Plaintiffs WhatsApp  
3 Inc. and Facebook, Inc. in this matter. I make this declaration in support of WhatsApp's  
4 Administrative Motion to Seal Documents Related to WhatsApp's Motion to Disqualify. The  
5 information in this declaration is based on my personal knowledge of this matter and information I  
6 obtained following a reasonable investigation of the events described below. If called as a witness, I  
7 could competently testify to the truth of each statement.

8 2. King & Spalding LLP, counsel to Defendants in this case, previously represented  
9 WhatsApp [REDACTED]

10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]

14 3. The following documents submitted in support of WhatsApp's Motion to Disqualify  
15 Defense Counsel Based on Prior Representation in a Sealed Matter contain or summarize information  
16 that is sealed in [REDACTED] or that the Government designated confidential pursuant to the  
17 parties' confidentiality agreement:

- 18 a. WhatsApp's Motion to Disqualify Defense Counsel Based on Prior Representation  
19 in a Sealed Matter;
- 20 b. The Declaration of Jacob Sommer in Support of WhatsApp's Motion to Disqualify  
21 Defense Counsel Based on Prior Representation in a Sealed Matter;
- 22 c. The Declaration of Nitin Guptas in support of WhatsApp's Motion to Disqualify  
23 Defense Counsel Based on Prior Representation in a Sealed Matter;
- 24 d. The Declaration of Travis LeBlanc in support of WhatsApp's Motion to Disqualify  
25 Defense Counsel Based on Prior Representation in a Sealed Matter;
- 26 e. Exhibit A to the Declaration of Travis LeBlanc in support of WhatsApp's Motion  
27 to Disqualify Defense Counsel Based on Prior Representation in a Sealed Matter;
- 28 f. Exhibit B to the Declaration of Travis LeBlanc in support of WhatsApp's Motion

- to Disqualify Defense Counsel Based on Prior Representation in a Sealed Matter;
- g. WhatsApp's Request for Judicial Notice;
- h. The Proposed Order Granting WhatsApp's Request for Judicial Notice; and
- i. The Declaration of Daniel J. Grooms in support of WhatsApp's Motion to Seal (this document);
- j. Proof of Service by Daniel J. Grooms.

4. Given the highly sensitive nature of the [REDACTED], WhatsApp seeks to file these documents under seal until the Government has had an opportunity to review them. In other words, WhatsApp does not believe it is equipped to judge what information could risk compromising the Government's [REDACTED] and expresses no opinion on whether information in the aforementioned documents should be sealed. Accordingly, WhatsApp seeks to seal these documents in their entirety under Local Rule 79-5(e) to provide the Government with an opportunity to request sealing of any and all confidential information it believes necessary to seal relating to [REDACTED]

5. WhatsApp did not seek to agree to a stipulation with Defendants, as WhatsApp is not at liberty to discuss the nature of the information it seeks to seal under Rule 79-5(e) with Defendants.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 10, 2020, in Washington, District of Columbia.

/s/ Daniel J. Grooms

Daniel J. Grooms

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