UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

CIVIL APPEAL INFORMATION STATEMENT

COUNSEL FOR APPELLANT: This statement is due to be filed with the Clerk of the Court of Appeals not later than **10** days from the docketing of the notice of appeal. **COUNSEL FOR APPELLEE**: If any information in appellant's statement is incorrect, counsel for appellee is directed to file a copy of this statement not later than **7** days after service.

SHORT CAPTION WITH IDENTITY OF APPELLANT:

Aaron Boring and Christine Boring v. Google, Inc./ Appellants: Aaron C. Boring and Christine Boring

APPEAL FROM DISTRICT COURT: District: <u>Western District of Pennsylvania</u> D.C. Docket No.: <u>08-694</u> Date proceedings initiated in D.C.: <u>May 21, 2008</u> Date Notice of Appeal filed: <u>May 4, 2009</u> USCA No.: <u>09-2350 (Third)</u>

COUNSEL ON APPEAL

Appellant(s): Aaron C. Boring and Christine Boring

Name of Counsel: Gregg R Zegarelli, Esq. and Dennis M. Moskal, Esq. Name of Party(ies): Aaron C. Boring and Christine Boring Address: 429 Forbes Ave., Allegheny Bldg, Suite 1212, Pittsburgh, PA 15219 Telephone No.: 412.765.0400 Fax No.: 412.765.0531 E-mail: mailroom.grz@zegarelli.com

For Appellee(s): *List only the names of parties and counsel who will oppose you on appeal

Name of Counsel: Brian P. Fagan, Esq. Name of Party(ies): Google, Inc. Address: 1001 Liberty Avenue, 11th Floor, Federated Investors Tower, Pittsburgh, PA 15222 Telephone No.: 412.355.8534 Fax No.: 412.355.2609 E-mail: bfagan@kwbhlaw.com

Name of Counsel: Tonia Ouellette Klausner, Esq.; Joshua A. Plaut, Esq.; Jason P. Gordon, Esq.; Elise M. Miller, Esq. and Gerard M. Stegr Name of Party(ies): Google, Inc. Address: 1301 Avenue of the Americas, New York, NY 10019 Telephone No.: 212.999.5800 Fax No.: 212.999.5899 E-mail: tklausner@wsgr.com

Is this a Cross-Appeal?Yes []No [~]Appeals Docket No.:________

Was there a previous appeal in case? Yes [] No [~] If yes, Short Title:

Appeals Docket No.:	
Citation, if reported:	

To your knowledge is there any case now pending or about to be brought before this Court or any other court or administrative agency which:

- a) Arises from substantially the same case or controversy as this appeal? [] Yes [] No
- b) Involves an issue that is substantially the same, similar, or related to an issue in this appeal?
 - []Yes [~] No

If you answered yes to either "a" or "b" please provide:

Case	Name:	

D.C. Docket No.:

Court or Agency:

Docket Number:

Citation, if reported:

NATURE OF SUIT

(Check as many as apply)

1. FEDERAL STATUTES	3. CONTRACTS
[] ANTITRUST	[] ADMIRALTY/MARITIME
[] BANKRUPTCY	[] ARBITRATION
[] BANKS & BANKING	[] COMMERCIAL
CIVIL RIGHTS	E
[] COMMERCE, ROUTES, AND TARIFFS	[] INSURANCE
[] COMMODITIES	[] NEGOTIABLE DISBURSEMENTS
[] COMMUNICATIONS	OTHER Specify:
[] CONSUMER PROTECTION	
[] COPYRIGHT	4. PRISONER PETITIONS
[] PATENT	[] CIVIL RIGHTS
[] TRADEMARK	[] VACATE SENTENCE 2255
[] ELECTION	[] HABEAS CORPUS 2254
[] ENERGY	[] HABEAS CORPUS 2241
[] ENVIRONMENTAL	[] MANDAMUS/PROHIBITION
[] FOIA FREEDOM OF INFORMATION	[] OTHER Specify:
[] IMMIGRATION	
[]LABOR	5. OTHER
[] OSHA	[] FORFEITURE
[] SECURITIES	[] CIVIL GRAND JURY
[] SOCIAL SECURITY	[] TREATY Specify:
[] TAX	[] OTHER Specify:
[] EQUAL ACCESS TO JUSTICE	

2. TORTS

[] ADMIRALTY [] ASSAULT/DEFAMATION [] PRODUCT LIABILITY/WARRANTY DIVERSITY [] OTHER Specify: <u>Trespass</u>, Privacy

[] OTHER Specify:

This is to certify that this civil appeal information statement was mailed to the Clerk of the U.S. Court of Appeals for the Third Circuit and a copy hereof served to each party or their counsel of record this <u>26th</u> day of <u>May</u>, 20<u>09</u>.

s/Dennis M. Moskal/

(Signature of Counsel)