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UNITED STATES COURT OF APPEALS

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PHILADELPHIA, PA 19106-1790Website: www.ca3.uscourts.gov

TELEPHONE

215-597-2995

May 26, 2011

Mary B. Matterer
Richard K. Herrman
Morris James
500 Delaware Avenue
Suite 1500
Wilmington, DE 19899-0000

RE: Market America Inc v. Google Inc, et al
Case Number: 11-2402
District Case Number: 1-09-cv-00494

Effective December 15, 2008, the Court implemented the Electronic Case Files System. Accordingly, attorneys are required to file all documents electronically. See 3d Cir. L.A.R. 113 (2008) and the Court's CM/ECF website at www.ca3.uscourts.gov/ecfwebsite.

To All Parties:

Enclosed is case opening information regarding the above-captioned appeal filed by **Market America Inc**, docketed at No. **11-2402**. All inquiries should be directed to your Case Manager in writing or by calling the Clerk's Office at 215-597-2995. This Court's rules, forms, and case information are available on our website at <http://www.ca3.uscourts.gov>.

On December 1, 2009, the Federal Rules of Appellate and Civil Procedure were amended modifying deadlines and calculation of time. In particular those motions which will toll the time for filing a notice of appeal under Fed.R.App.P. 4(a)(4), other than a motion for attorney's fees under Fed.R.Civ.P. 54, will be considered timely if filed no later than 28 days after the entry of judgment. Should a party file one of the motions listed in

Fed.R.App.P 4(a)(4) after a notice of appeal has been filed, that party must immediately inform the Clerk of the Court of Appeals in writing of the date and type of motion that was filed. The case in the court of appeals will not be stayed absent such notification. Counsel for Appellant

As counsel for Appellant(s), you must file:

1. Application for Admission (if applicable)
2. Appearance Form
3. Civil Information Statement
4. Disclosure Statement (except governmental entities)
5. Concise Summary of the Case
6. Transcript Purchase Order Form.

These forms must be filed within **fourteen (14) days** of the date of this letter.

Failure of Appellant(s) to comply with any of these requirements by the deadline will result in the DISMISSAL of the case without further notice. 3rd Circuit LAR Misc. 107.2.

Counsel for Appellee

As counsel for Appellee(s), you must file:

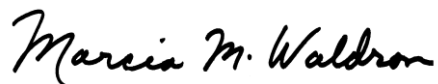
1. Application for Admission (if applicable)
2. Appearance Form
3. Disclosure Statement (except governmental entities)

These forms must be filed within **fourteen (14) days** of the date of this letter.

Parties who do not intend to participate in the appeal must notify the Court in writing. An original copy of this notice must be filed, along with a certificate of service.

Attached is a copy of the full caption in this matter as it is titled in the district court. Please review the caption carefully and promptly advise this office in writing of any discrepancies.

Very truly yours,



Marcia M. Waldron, Clerk

By: Case Manager / slc
267-299-4959

SLC/cc: Michael F. Bonkowski
M. Duncan Grant
James H.S. Levine