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SHORT RECORD  
APPEAL 09-3569  
FILED 10/20/09

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

GOOGLE, INC., )  
 )  
 Appellee/Plaintiff )  
 )  
 v. )  
 )  
 CENTRAL MFG. INC., et al., )  
 )  
 Defendants. )  
 )  
 v. )  
 )  
 LEO STOLLER., )  
 )  
 Intervenor/Appellant. )

Appeal No: \_\_\_\_\_

On appeal from the United States  
District Court, Northern District of  
Illinois, No. 1:07-cv-0385  
Honorable Virginia J. Kendall  
decisions dated August 17, 2009,  
and October 16, 2009

FILED

OCT 19 2009  
Oct 19 2009  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

NOTICE OF APPEAL

NOW COMES Appellant, LEO STOLLER, and files a Notice of Appeal of the attached Memorandum Opinion and Order dated August 17, 2009; order dated October 16, 2009; and Permanent Injunction and Final Judgment to Defendants Central Mfg. Inc. and Stealth Industries, Inc. dated October 16, 2009, entered by the Honorable Carole K. Bellows in the above-captioned case.



Leo Stoller, *Appellant*  
7115 W. North Avenue #272  
Oak Park, Illinois 60302  
(312) 545-4554

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

Google, Inc.,	)	
	)	
	)	
Plaintiff,	)	Case No. 07 C 385
v.	)	
	)	Judge Virginia M. Kendall
Central Mfg. Inc. a/k/a Central Mfg. Co. a/k/a	)	
Central Mfg. Co (Inc.) a/k/a Central	)	
Manufacturing Company Inc. a/k/a Central Mfg.	)	
Co. of Illinois; and Stealth Industries, Inc. a/k/a	)	
Rentamark and a/k/a Rentamark.com,	)	
	)	
Defendants.	)	

**MEMORANDUM OPINION AND ORDER**

Plaintiff Google Inc. ("Google") has filed this civil RICO action against Defendants Central Mfg. Inc. ("Central") a/k/a Central Mfg. Co. a/k/a Central Mfg. Co.(Inc.) a/k/a Central Manufacturing Company Inc. a/k/a Central Mfg. Co. of Illinois and Stealth Industries, Inc. ("Rentamark") a/k/a Rentamark a/k/a Rentamark.com (collectively, "Defendants") alleging, among other things, that Defendants and their purported principal, Leo Stoller ("Stoller"), are engaged in a scheme of falsely claiming trademark rights for the purpose of attempting to extort money out of legitimate commercial actors. More specifically, Google alleges that Defendants aimed their continuing scheme in its direction by first seeking to oppose Google's application for registration of the "Google" trademark based upon a fraudulent claim of common law rights in or to that mark and then sending settlement communications to Google that offered to resolve the "registerability controversy" if Google would, among other things, agree to: (1) abandon its trademark application;

(2) pay a 5% royalty for use of the "Google" mark; and (3) pay \$100,000.00 to Rentamark.com and acknowledge Rentamark.com's exclusive ownership of the "Google" mark.

On December 20, 2005, Stoller filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code (the "Code"). On motion of one of Stoller's creditors, Stoller's bankruptcy case, styled *In re Stoller*, No. 05-64075 in the United States Bankruptcy Court for the Northern District of Illinois (the "Bankruptcy Court"), was converted to a case under Chapter 7 of the Code on September 1, 2006. The property of Stoller's estate in bankruptcy includes, among other things, the stock and interests of incorporated and unincorporated businesses, including Stoller's wholly-owned interest in the Defendants. On September 6, 2006, the United States Trustee for Region 11 appointed Richard M. Fogel ("Trustee") as trustee to administer Stoller's estate in bankruptcy.

Stoller filed a Motion to Intervene in this action on February 6, 2007 arguing that: (1) he was the sole shareholder of Defendants; (2) he was the party that filed a petition for cancellation of the Google trademark registration; (3) he was the party that communicated with Google's counsel regarding the registerability controversy; (4) he was the party that claimed rights in and to the Google trademark; and (5) absent his involvement in this case, the corporate defendants would not be adequately represented. This Court denied Stoller's Motion, finding that he could not intervene as of right because he had no direct, significant legal interest in the litigation; first, because Stoller's companies had become part of his bankruptcy estate and therefore he held no interest in them, and second, because all his other assertions of right were contradicted by the record. In addition, this Court refused Stoller permissive intervention, noting Stoller's renown as a vexatious litigant and that his intervention would frustrate the parties' efforts to settle the matter. Thereafter, this Court

approved a settlement agreed to by Google and entered a permanent injunction and final judgment. Stoller appealed both the denial of his Motion to Intervene and the final judgment.

The Seventh Circuit vacated the final judgment and remanded Stoller's Motion to Intervene for reconsideration, noting that Stoller's corporations seemed to be mere alter egos of Stoller. Additionally, it directed this Court to consider: 1) whether Central Manufacturing Inc. and Stealth Industries, Inc. are subject to suit, considering that the Bankruptcy Court found that the bankruptcy court "all but declared" that CFI and Stealth were alter egos of Stoller;" and 2) whether the bankruptcy estate and trustee were properly involved in the case. That is, Google had taken the position in the bankruptcy court that this case arose after the bankruptcy estate was created, and if that was the case, it should go to the debtor, rather than to his bankruptcy estate.

After remand, Stoller filed a supplement to his Motion to Intervene, noting the Seventh Circuit's opinion and taking the position that he should be allowed to intervene because his corporations were his alter egos but still were in no way "sham corporations." For the reasons stated below, this Court again denies Stoller's Motion to Intervene.

#### **STANDARD OF REVIEW**

Under Rule 24 intervention may be as of right or it may be permissive. *See Heartwood v. U.S. Forest Serv., Inc.*, 316 F.3d 694, 7000 (7th Cir. 2003). A party seeking to intervene as of right must satisfy four requirements: (1) the motion to intervene must be timely; (2) the party seeking to intervene must claim an interest related to the property or transaction which is the subject of the action; (3) the party seeking to intervene must be so situated that the disposition of the action may as a practical matter impair or impede the party's ability to protect that interest; and (4) the existing parties must not be adequate representatives of the applicant's interest. *See Fed. R. Civ. P. 24(a)*;

see also *Skokaogon Chippewa Cmty v. Babbitt*, 214 F.3d 941, 945-46 (7th Cir. 2000). Failure to satisfy any one of the four requirements for intervention as of right is sufficient grounds to deny a motion to intervene. See *United States v. BDO Seidman*, 337 F.3d 802, 808 (7th Cir. 2003). Determinations on motions to intervene are highly fact-specific. See *Reich v. ABC/York-Estes Corp.*, 64 F.3d 316, 321 (7th Cir. 1995) citing *Shea v. Angulo*, 19 F.3d 343, 349 (7th Cir. 1994). This Court must accept as true all non-conclusory allegations in the motion to intervene. See *Id.* citing *Lake Investors Dev. Group v. Eglidi Dev. Group*, 715 F.2d 1256, 1258 (7th Cir. 1983). A motion to intervene as of right should not be dismissed unless "it appears to an absolute certainty that the intervener is not entitled to relief under any set of facts which could be proved under the complaint." *Id.*

A party seeking to intervene in a case must assert an interest in the action that is a "direct, significant legally protectible" one. *Reich*, 64 F.3d at 322 quoting *Am. Nat'l Bank v. City of Chicago*, 865 F.2d 144, 146 (7<sup>th</sup> Cir. 1989). In the Seventh Circuit, this inquiry focuses "on the issues to be resolved by the litigation and whether the potential intervener has an interest in those issues." *Id.* citing *Am. Nat'l Bank*, 865 F.2d at 147.

#### **STOLLER'S ALLEGATIONS**

Stoller alleges in his Motion to Intervene that he is the sole shareholder and sole employee of the Defendants. See *Mtn. Intervene* at 1, 3. In addition, he alleges that it was he personally on behalf of the Defendants who claimed rights to Google's trademark and brought the petition to cancel it. See *Id.* He further alleged that Google had previously petitioned the bankruptcy court to lift the automatic stay of litigation so that it could sue Stoller and that Google itself found that Stoller was an indispensable party to the proposed litigation. See *Id.* at 2. In support of this allegation, he

attached an order from the Bankruptcy Court granting Google's motion for order declaring its proposed suit to be outside the scope of stay or in the alternative, modifying the stay. *See Id.* at 6-7.

In his Motion, Stoller directly references and relies on the factual findings of the Bankruptcy Court in its decision converting Stoller's Chapter 13 bankruptcy proceeding to a Chapter 7 proceeding. There the Bankruptcy Court made detailed factual findings regarding the relationship between Stoller and his various corporations and other entities. *See In re Stoller*, 351 B.R. 605, 611-616 (N.D.Ill. 2006). Specifically, the Bankruptcy Court found that: 1) Stoller made all decisions for the entities; 2) Stoller testified that he was the "actual, controlling entity;" 3) all the entities were operated by Stoller at the same address; 4) the entities did not keep corporate books or records of finances; 5) the entities had no record of dividend payments; 6) Stoller owned all stock in the entities; 7) the entities had no officers other than Stoller; 7) Stoller referred to the entities' assets as his personal assets; and 8) Stoller commingled funds from all of the entities as well as his personal funds in a single bank account. *See Id.* at 616-17. Based on these findings, the Bankruptcy Court found that Stoller and his businesses are "indistinguishable." *See Id.* at 616.

In addition, Google's Complaint takes the position that Stoller was Defendants' principal, used the Defendants to harass other companies, and was responsible for the actions taken against Google. Google asserts that Stoller was the CEO and sole sharcholder of the Defendants and that "Stoller conducted the activities complained of in interstate commerce." *See* Cmplt. at 10. Many of their statements implicate one defendant "and Stoller" or allege that a Defendant acted "through Stoller." *See, e.g.*, Cmplt. at 21 (c) ("Stoller initiated numerous proceedings in SI's name"); Cmplt. at 21(e) ("Stoller has obtained . . . the transfer of trademark applications . . . to Defendant Stealth and Defendant Central Mfg."); Cmplt. at 34-36 ("Central Mfg. And Stoller" opposed Google's

trademark application and Stoller signed the related letters and purported settlement agreements).  
Case 1:07-cv-00385 Document 141 Filed 10/20/2009 Page 7 of 45  
Google attached documents such as various letters signed by Stoller on behalf of Stealth Industries, a July 14, 2006 letter from the Trademark Office to Stoller imposing sanctions against him, and letters to Google regarding their trademark and proposed settlement agreements signed by Stoller, as well as multiple articles about Stoller and several emails sent from Stoller to Google's attorney Michael Zeller to its Complaint.

### DISCUSSION

Generally, a corporation is a legal entity separate from its shareholders, directors and officers, but the corporate entity may be disregarded and the corporate veil pierced when the corporation is merely the alter ego of a "governing or dominant personality." *Semande v. Estes*, 871 N.E.2d 268, 271 (Ill.App.Ct. 2007) citing *People v. V & M Indus.*, 700 N.E.2d 746, 751 (Ill.App.Ct. 1998). Put differently, the Court can in some circumstances disregard the corporate form because it is merely a "dummy or sham" for another dominating entity. See *Cosgrove Dist., Inc. v. Haff*, 798 N.E.2d 139, 141 (Ill.App.Ct. 2003) citing *Jacobsen v. Buffalo Rock Shooters Supply, Inc.*, 664 N.E.2d 328, 331 (Ill.App.Ct. 1996). This is essentially what Stoller asks the Court to do here. That is, he argues that his corporations have no existence separate from him and therefore he is the true party of interest in this litigation.

The Court looks to a number of factors in determining whether to disregard the corporate form, including: "failure to issue stock; failure to observe corporate formalities; nonpayment of dividends; insolvency of the debtor corporation; nonfunctioning of the other officers or directors; absence of corporate records; commingling of funds; diversion of assets from the corporation by or to a shareholder; failure to maintain arms-length relationships among related entities; and whether

the corporation is a mere facade for the operation of the dominant shareholders.” *Id.* Here, according to Stoller’s allegations, he owns all the stock of the corporations and is their only officer. He commingles funding between corporations and with his own money and treats the commingled funds as his personal assets. He observes no formalities - he keeps no records and makes all decisions for the corporations himself. The allegations here, which this Court must take as true, establish that Stoller’s corporations are his alter egos. They are mere facades for their dominant, and for that matter only, shareholder, Stoller who uses them to carry on his personal business.

Although Stoller’s corporations appear to be shams, Stoller may not intervene as of right. In moving to intervene on the basis that his interests are affected because his alter ego corporations are involved in the suit, Stoller asks this Court to “pierce the corporate veils” to his benefit. This doctrine applies only where an individual uses the corporation as an instrumentality to perpetrate fraud or injustice on a third party. *See In re Rehab. of Centaur Ins. Co.*, 632 N.E.2d 1015, 1018 (Ill. 1994). Piercing the corporate veil is utilized only to protect third parties who have relied on the existence of the separate corporate entity, not for the benefit of the corporation itself or its shareholders. *See Semande*, 871 N.E.2d at 271 *citing Centaur*, 632 N.E.2d at 173; *see also Trossman v. Philipsborn*, 869 N.E.2d 1147, 1174 (Ill.App.Ct. 2007) (*Centaur* not limited to its specific facts but rather rejects the piercing of the corporate veil to benefit shareholders). This is because an individual should not be allowed to adopt the corporate form for his own protection and then disregard it when it is to his advantage to do so. *See Id.* at 271-72 *citing Schenley Distillers Corp. v. United States*, 326 U.S. 432, 437 (1946) (corporate form will not be disregarded where those in control have deliberately adopted it to secure its advantages); *see also Main Bank of Chicago v. Baker*, 427 N.E.2d 94, 102 (Ill. 1981) (same).



Here, Stoller asks this Court to allow him to intervene because his corporations, which have been sued, are his alter egos, indistinguishable from him, and he therefore has a direct interest in the suit. According to Google, Stoller used his corporations as a means by which to harass trademark holders and applicants. Stoller now wishes to intervene in this action against his corporations and therefore asks this Court to pierce the veils of his corporations to his advantage. Such a result would go against the policy justifying piercing the corporate veil, and as such, this Court will not find that Stoller has a direct interest in this suit against his corporations simply because they are arguably his alter egos. *See Semande*, 871 N.E.2d at 272 (corporate veil not pierced to benefit of director in part because director did not stand in the position of an innocent third party creditor).

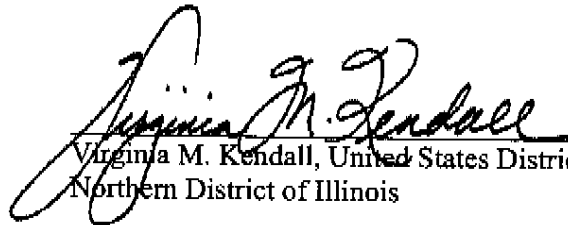
Having found that Stoller has no right to intervene based on his alleged identity with his corporations, this Court returns to its reasoning in its prior opinion. That is, the Defendants are now part of Stoller's Chapter 7 bankruptcy estate. Accordingly, Stoller no longer holds any interest in the Defendants. *See Spenlinhauer v. O'Donnell*, 261 F.3d 113, 118 (1st Cir. 2001) ("The advent of the chapter 7 estate and the appointment of the chapter 7 trustee divest the chapter 7 debtor of all right, title and interest in nonexempt property of the estate at the commencement of the case"). At this juncture, it is the Trustee, and not Stoller, that has the authority to administer all aspects of Defendants' business, including this lawsuit. *See Cable v. Ivy Tech State Coll.*, 200 F.3d 467, 472 (7th Cir. 1999) (in Chapter 7 bankruptcy proceedings, "only the trustee has standing to prosecute or defend a claim belonging to the estate") (emphasis in original) *citing In re New Era, Inc.*, 135 F.3d 1206, 1209 (7th Cir. 1998) (for the proposition that "Chapter 7 trustee has exclusive right to represent debtor in court"). Therefore, because Stoller has no right to intervene by piercing the corporate veil that he himself erected and because his ownership interests passed to his bankruptcy

estate, this Court again finds that Stoller has no direct interest in this litigation and therefore denies his Motion to Intervene.

**CONCLUSION AND ORDER**

For the reasons stated above, Stoller's Motion to Intervene is denied. This does not, however, fully resolve the issues presented to this Court on remand. In its opinion remanding this case, the Seventh Circuit first questioned whether Stoller's corporations are subject to suit absent Stoller's involvement. Second, it noted that causes of action that arise before a debtor files for bankruptcy follow his bankruptcy estate, whereas causes of action that arise after the creation of a bankruptcy estate belong to the debtor, and that despite the fact that Google here has sued the bankruptcy estate and dealt with the Trustee, it has taken the position in the bankruptcy court that this suit arose after Stoller filed for bankruptcy. Some facts, however, indicate that the cause of action actually arose before Stoller filed for bankruptcy. As such, the Seventh Circuit questioned whether the trustee and the bankruptcy estate were properly involved in this case. In order to resolve these issues before the case proceeds further, this Court directs the parties to submit position papers regarding the extent to which Stoller's corporations are subject to suit and when this case arose and as such the propriety of the involvement of the bankruptcy estate. The parties must submit such position papers within 21 days of this order.

So ordered.

  
Virginia M. Kendall, United States District Judge  
Northern District of Illinois

Date: August 17, 2009

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Virginia M. Kendall	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	07 C 385	DATE	10/16/2009
CASE TITLE	GOOGLE INC vs. CENTRAL MANUFACTURING INC et al		

## DOCKET ENTRY TEXT

Stoller's motion for reconsideration is denied.

■ [ For further details see text below. ]

Notices mailed by Judicial staff.

## STATEMENT

Before the Court is Leo Stoller's ("Stoller") Motion for Reconsideration of the Court's August 17, 2009 Memorandum Opinion and Order denying his Motion to Intervene. (¶ 111.) For the reasons stated, Stoller's Motion for Reconsideration is denied.

Plaintiff Google, Inc. ("Google") filed a civil RICO action against Defendants Central Mfg. Inc. ("Central") a/k/a Central Mf. Co. a/k/a Central Mfg. Co (Inc.) a/k/a Central Manufacturing Company Inc. a/k/a Central Mfg. Co. of Illinois and Stealth Industries, Inc. ("Rentamark") a/k/a Rentamark and a/k/a Rentamark.com (collectively "Defendants") on January 19, 2007, alleging, among other things, that the Defendants and their purported principal, Stoller, are engaged in a scheme of falsely claiming trademark rights for the purpose of attempting to extort money out of legitimate commercial actors. (¶ 1.) On February 6, 2007, Stoller filed a Motion to Intervene in this action which the Court denied, finding that Stoller did not have a "direct, significant legally protectable interest" in the suit because he was acting as president of the "corporate" defendants when he undertook the actions described in the Complaint, and that as a result of his bankruptcy case he no longer held a stake in those businesses. (¶ 16, R. 38.) Subsequently, the Court approved the settlement agreed to by Google and the Trustee of Stoller's bankruptcy estate and entered the permanent injunction contemplated by that agreement. (¶ 57-58.) Stoller appealed both the denial of his motion to intervene and the final judgment in the lawsuit. The Seventh Circuit consolidated Stoller's appeals, vacated the final judgment issued and remanded the case for reconsideration of Stoller's Motion to Intervene. *See Google, Inc. v. Central Mfg. Inc. and Stealth Industries, Inc.*, Nos. 07-1569, 07-1612, 07-1651, 2008 WL 896376, at \*5 (7th Cir. 2008). In remanding the case, the Seventh Circuit directed the Court to "resolve in the first instance whether [Central and Rentamark] are entities that are subject to suit, whether and under what circumstances Google's suit in its present form can proceed without Stoller if they are not, and whether any of the unlawful conduct Google alleges gave rise to a claim that even involves the Chapter 7 estate." *Id.* After receiving the mandate, the Court reinstated Stoller's Motion to Intervene and permitted him to file a supplemental brief in support of his motion. (¶ 93.)

## STATEMENT

On August 17, 2009, the Court issued a Memorandum Opinion and Order denying Stoller's Motion to Intervene finding that despite the fact that Central and Rentamark are Stoller's alter egos, Stoller cannot use the doctrine of "piercing the corporate veil" offensively to *defend* a lawsuit. (R. 110, at 7.) The Court noted that piercing the corporate veil is utilized only to protect third parties who have relied on the existence of the separate corporate entity, not for the benefit of the corporation itself or its shareholders. *See id.* After determining that Stoller was not permitted to intervene as a matter of right, per the Seventh Circuit's mandate, the Court ordered the parties to submit position papers on whether Central and Rentamark are entities that are subject to suit, and whether Google's claim arose prior to or after Stoller filed for bankruptcy to determine whether Google's claim even involves the Chapter 7 estate. (R. 110, at 9.) In its position paper, submitted on September 30, 2009, Google notified the Court that The Society for the Prevention of Trademark Abuse, LLC (the "SPTA") acquired all stock and other assets of Central and Rentamark in a bankruptcy auction under the auspices and with the approval of the Bankruptcy Court. (R. 121, at 1.)<sup>1</sup> Therefore, Stoller's Chapter 7 Trustee is no longer Central and Rentamark's representative but instead the entities are now under the ownership and control of the SPTA. (R. 121, at 2; R. 122-2, at 16-60.) On August 20, 2007, the same day that the SPTA acquired ownership of Central and Rentamark, the SPTA, as the new stockholder of the corporate entity Defendants, removed Stoller from "any and all positions, offices and capacities in connection with each of the corporations." (R. 121, at 3; R. 122-2, at 62-63.) Subsequently, on January 29, 2008 and April 24, 2008, the SPTA dissolved Central and Rentamark. (R. 121, at 4; R. 122, Exs., 13, 14.)

Federal Rule of Civil Procedure 59(e) serves the limited function of allowing courts to correct manifest errors of law or fact or consider newly discovered material evidence. *See Bordelon v. Chicago Sch. Reform Bd. Of Trustees*, 233 F.3d 524, 529 (7th Cir. 2000); *see also Oto v. Metropolitan Life Ins. Co.*, 224 F.3d 601, 606 (7th Cir. 2000) (manifest error is the wholesale disregard, misapplication, or failure to recognize controlling precedent). However, Rule 59(e) "does not provide a vehicle for a party to undo its own procedural failures, and it certainly does not allow a party to introduce new evidence or advance legal arguments that could and should have been presented to the district court prior to the judgment." *Moro v. Shell Oil Co.*, 91 F.3d 872, 876 (7th Cir. 1996). Reconsideration is only appropriate when "the Court has patently misunderstood a party or has made a decision outside the adversarial issues presented to the Court by the parties or has made an error not of reasoning but of apprehension." *Bank of Waunakee v. Rochester Cheese Sales, Inc.*, 906 F.2d 1185, 1191 (7th Cir. 1990) (internal quotations omitted). Whether to grant a Rule 59(e) motion "is entrusted to the sound judgment of the district court." *Matter of Prince*, 85 F.3d 314, 324 (7th Cir. 1996).

Stoller's Motion for Reconsideration sets forth no newly discovered material evidence and does not identify any controlling precedent that the Court failed to recognize, misapplied or wholly disregarded. Instead, it reiterates Stoller's previous argument that "Leo Stoller has a protectable interest in this case which the existing parties may not adequately represent Stoller's interests," and goes on to assert that his "reputation" as a "nationally recognized trademark expert" will be permanently damaged if he is not allowed to defend himself in this case. (R. 111, at 3.) Although the Court must construe *pro se* filings liberally, even litigants proceeding without the benefit of counsel must articulate some reason for disturbing the Court's judgment. *See Anderson v. Hardman*, 241 F.3d 544, 545 (7th Cir. 2001). Here, Stoller offers no articulable basis for disturbing the Court's previous ruling denying his Motion to Intervene. Courts have repeatedly held that purported injury to one's reputation is an insufficient interest for intervention of right. *See e.g., People Who Care v. Rockford Bd. of Educ., Sch. Dist. No. 205*, 179 F.R.D. 551, 562 (N.D. Ill. 1998) (effect on "political reputation" not a legally cognizable interest for intervention of right). Furthermore, this argument was available to Stoller when he filed his opening, supplemental and reply brief in support of his Motion to Intervene; he has not set for any newly discovered evidence. Google, however, has submitted new evidence to the Court which further supports the Court's denial of Stoller's Motion to Intervene; Stoller no longer has any interest or ownership in either Central or Rentamark and therefore has no interest related "to the property or the transaction which is the subject of the action." *See*

STATEMENT

Fed.R.Civ.P. 24(a). Accordingly, Stoller has failed to establish that the Court erred as to law or fact or that he has newly discovered material evidence. *See Bordelon*, 233 F.3d at 529. A meritorious motion to reconsider is rare and under Stoller's circumstances should not be granted. *See Bank of Waunakee*, 906 F.2d at 1191. Therefore, Stoller's Motion to Reconsider is denied.

Furthermore, as previously mentioned, since the Seventh Circuit's mandate, the Court has received new material information related to the corporate entity Defendants and Stoller's interest in those Defendants. Therefore, when the Seventh Circuit issued its mandate it did so under a different set of facts and circumstances. Currently, the corporate entity Defendants, Central and Rentamark, are no longer part of Stoller's bankruptcy estate but instead are currently under the control and ownership of the SPTA and the SPTA removed Stoller from "any and all positions, offices, and capacities in connection with each of the corporations." ¶ 121.) Therefore, Google's claims against Central and Rentamark no longer involve Stoller's Chapter 7 estate. Furthermore, the circumstances giving rise to the Seventh Circuit's concern as to whether Central and Rentamark are entities that are subject to suit no longer exist because under the ownership and control of the SPTA they are no longer Stoller's alter egos. *See Palen v. Daewoo Motor Co.*, 832 N.E. 2d 173, 185 (Ill. App. Ct. 2005) (suits against legally nonexistent entities renders the suit void *ab initio*). Put another way, after the SPTA acquired all stock and assets in Central and Rentamark, they became corporate entities distinguishable from Stoller and not just trade names through which Stoller conducts business as an individual, making them entities that are subject to suit.<sup>2</sup>

Lastly, in his Motion for Reconsideration Stoller requests that the Court suspend the current action pending his appeal of the denial of his Motion to Intervene if his Motion to Reconsider is denied. ¶ 111, at ¶ 10.) Having no right to intervene, however, Stoller has no right to file a motion to suspend ongoing proceedings. Stoller has not identified-and this Court is not aware of-any procedural mechanism by which a non-party may file a motion to suspend ongoing proceedings without intervening therein.

1. The Court notes that despite the fact that the Bankruptcy Court approved the sale of Central and Rentamark's stocks and assets to the SPTA on August 8, 2007, and all stock and assets in Central and Rentamark were transferred to the SPTA on August 20, 2007, Google did not bring this information to the Court's attention until September 09, 2009, when it made a mere passing reference to the SPTA's acquisition of Central and Rentamark. It was not until September 30, 2009, when it filed its position paper in response to the Court's request for additional information pursuant to the Seventh Circuit's mandate that Google provided the Court with additional information regarding the status of Stoller's bankruptcy proceedings and the transfer of Central's and Rentamark's stocks and assets to the SPTA.

2. The Court notes that Central's and Rentamark's dissolution does not prevent them from being subject to suit in the present action. Under both Illinois and Delaware state law, a corporation can participate in litigation after being dissolved if the litigation was initiated before or within five years or three years, respectively, after dissolution. *See* 805 ILCS 5/12.80 (corporation can sue or be sued on claims brought before and up to five years post-dissolution); 8 Del. C. § 278 (corporation can sue or be sued on claims brought before and up to three years post dissolution.). Here, Google filed its Complaint against Central and Rentamark on January 19, 2007 and the corporate entities were dissolved in January and April 2008, respectively. Therefore, Central and Rentamark, although dissolved are still subject to suit in this case.

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

GOOGLE INC.,

Plaintiff,

vs.

CENTRAL MFG. INC. a/k/a CENTRAL  
MFG. CO., a/k/a CENTRAL MFG. CO.  
(INC.), a/k/a CENTRAL  
MANUFACTURING COMPANY, INC.  
and a/k/a CENTRAL MFG. CO. OF  
ILLINOIS; STEALTH INDUSTRIES,  
INC. a/k/a RENTAMARK and a/k/a  
RENTAMARK.COM; and  
LEO D. STOLLER a/k/a LEO REICH,

Defendants.

Civil Action No. 07 CV 385

Hon. Virginia M. Kendall

**PERMANENT INJUNCTION AND FINAL JUDGMENT AS TO**  
**DEFENDANTS CENTRAL MFG. INC. AND STEALTH INDUSTRIES, INC.**

This Stipulated Permanent Injunction and Final Judgment is entered into, on the one hand, by Plaintiff Google Inc. ("Google") and, on the other hand, by Defendant Central Mfg. Inc., also known without limitation as Central Mfg. Co., Central Mfg. Co. (Inc.), Central Manufacturing Company, Inc. and/or Central Mfg. Co. of Illinois (collectively, "Central Mfg."), and Defendant Stealth Industries, Inc. ("Stealth") (collectively, Central Mfg. and Stealth are the "Entity Defendants"). The parties having stipulated to the entry of the following Stipulated Permanent Injunction and Final Judgment, and good cause appearing for the entry thereof:

1. Pursuant to the Assignment attached hereto as Exhibit 1 and as approved by Order of the United States Bankruptcy Court for the Northern District of Illinois, The Society for the Prevention of Trademark Abuse, LLC, a limited liability company organized under the laws of Delaware (hereinafter The Society), has acquired all right, title and interest in the stock and all other assets, including any and all trademark rights, held by the Entity Defendants. The Sale of the Assets to the Purchaser was free and clear of all liens and all other claims whatsoever pursuant to Section 363(f) of the Bankruptcy Code, whether known or unknown, including, but not limited to, liens and claims of any of the Debtor's creditors, vendors, suppliers, employees or lessors, and The Society is not liable in any way (as a successor to the Debtor or otherwise) for any claims that any of the foregoing or any other third party may have against the Debtor or the Assets. Any and all alleged liens and claims on the Assets were transferred, affixed, and attached to the proceeds of the Sale, with the same validity, priority, force, and effect as such liens had been upon such property immediately prior to the Closing. Debtor or any person or entity acting in concert with the debtor were and continue to be enjoined from asserting any right, title, interest or claim in the assets following consummation of the sale by the trustee.

2. Leo Stoller was discharged as an officer or representative in any capacity of the Entity Defendants on August 20, 2007. Lance G. Johnson became the President of the Entity Defendants and oversaw the dissolution of the incorporated Entity Defendants by April 2008. All assets and claims for each of the Entity Defendants have been assigned to The Society. The Society thus stands as a successor in interest to any claims available to any of the Entity Defendants.

3. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338, 18 U.S.C. § 1964(c) and principles of supplemental jurisdiction under 28 U.S.C. § 1367(a), as well as personal jurisdiction over the Entity Defendants.

4. The Entity Defendants have been duly served with the summons and Complaint in this matter. If service is required in The Society, The Society hereby waives service and acknowledges receipt of the Complaint in this matter.

5. Judgment is hereby entered in favor of Plaintiff Google, and against each of the Entity Defendants and The Society, on Plaintiff Google's claims for false advertising in violation of the Lanham Act, 15 U.S.C. § 1125(a)(1)(B), for violations of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961 et seq. and for unfair competition.

6. The Entity Defendants and The Society admit each and every fact alleged in the Complaint. Without limiting the generality of the foregoing, each of the Entity Defendants and The Society admit and represent:

- (a) None of the Entity Defendants or The Society has or has had any right, title or interest of any kind in the GOOGLE mark or in any mark, trade name or designation that is confusingly similar or dilutes to the GOOGLE mark;
- (b) None of the Entity Defendants or The Society has or has had any right or lawful ability to license, or offer for licensing, the GOOGLE mark, or any mark or designation that is confusingly similar to or dilutes the GOOGLE mark, in connection with any goods, services or commercial activities; and
- (c) None of the Entity Defendants or The Society has or has had any right or lawful ability to hold themselves out as or to identify themselves as any business entity of any kind using, in whole or in part and regardless of what other terms may be included, the GOOGLE mark, or any mark or designation that is confusingly similar to or dilutes, the GOOGLE mark, including without limitation any of the following: "GOOGLE," "GOOGLE™ BRAND TRADEMARK LICENSING," "GOOGLE LICENSING" and/or "GOOGLE BRAND PRODUCTS & SERVICES."

7. Each of the Entity Defendants and The Society, as well as their officers, directors, principals, agents, servants, employees, successors, assigns, parents, subsidiaries and affiliates and all those acting on their behalf or in concert or participation with them, shall be and hereby are, effective immediately, permanently enjoined from engaging in any of the following acts:



- (a) claiming in any advertising, promotion or other materials, including without limitation on any web site, any right, title or interest in GOOGLE, whether in whole or in part and regardless of what other terms may be included, or in any mark, trade name, term, word or designation that is confusingly similar to or dilutes the GOOGLE mark;
- (b) instituting, filing or maintaining, or threatening to institute, file or maintain, any application, registration, suit, action, proceeding or any other matter with any Court, with the United States Trademark Office, with the United States Trademark Trial and Appeal Board or with any other judicial or administrative body that asserts any right, title or interest in GOOGLE, whether in whole or in part and regardless of what other terms may be included, or in any mark, trade name, term, word or designation that is confusingly similar to or dilutes the GOOGLE mark;
- (c) holding themselves out as or identifying themselves in any manner as any business entity of any kind using, whether in whole or in part and regardless of what other terms may be included, the GOOGLE mark or any mark, trade name, term, word or designation that is confusingly similar to or dilutes the GOOGLE mark, including without limitation any of the following: "GOOGLE," "GOOGLE™ BRAND TRADEMARK LICENSING," "GOOGLE LICENSING" and/or "GOOGLE BRAND PRODUCTS & SERVICES";
- (d) licensing, offering to license, assigning or offering to assign or claiming the ability to license or assign any mark, term, word or designation that embodies, incorporates or uses, in whole or in part and regardless of what other terms may be included, the GOOGLE mark or any mark or designation that is confusingly similar to or dilutes the GOOGLE mark;
- (e) interfering with, including without limitation by demanding in any manner any payment or other consideration of any kind for, Plaintiff's use, whether past, current or future, of any mark, name or designation embodying, incorporating or using, in whole or in part and regardless of what other terms may be included, Plaintiff's GOOGLE mark;
- (f) using the GOOGLE mark, whether in whole or in part and regardless of what other terms may be included, or any mark, trade name, term, word or

designation that is confusingly similar to or dilutes the GOOGLE mark, in connection with the sale, offering for sale, licensing, offering for license, importation, transfer, distribution, display, marketing, advertisement or promotion of any goods, services or commercial activity of any Defendant;

- (g) engaging in acts of unfair competition or passing off with respect to Plaintiff Google;
- (h) assisting, aiding or abetting any other person or entity in engaging in or performing any of the activities referred to in subparagraphs (a) through (g) above.

8. Each party to this Permanent Injunction and Final Judgment shall bear its respective attorney's fees, costs and expenses incurred in this action.

9. The Entity Defendants and The Society hereby waive any further findings of fact and conclusions of law in connection with this Permanent Injunction and Final Judgment and all right to appeal therefrom. It is the intention of the parties hereto that this Permanent Injunction and Final Judgment be afforded full collateral estoppel and res judicata effect as against the Entity Defendants and The Society and shall be enforceable as such. The Entity Defendants and The Society further hereby waive in this proceeding, including without limitation in any proceedings brought to enforce and/or interpret this Permanent Injunction and Final Judgment, and in any future proceedings between the parties any and all defenses and/or claims that could have been asserted by the Entity Defendants or The Society against Plaintiff, including without limitation any and all defenses, claims or contentions that Plaintiff's GOOGLE mark is invalid and/or unenforceable and/or that any person or entity other than Plaintiff has superior rights to the GOOGLE mark. Without limiting the generality of the foregoing, in the event that Plaintiff brings any proceeding to enforce this Permanent Injunction and Final Judgment, no Entity Defendant or The Society shall be entitled to assert, and each Entity Defendant and The Society hereby waives any right to assert, any defense or contention other than that he or it has complied or substantially complied in good faith with the terms of this Permanent Injunction and Final Judgment.

10. Nothing in this Judgment is intended to waive, limit or modify in any manner, and shall not be construed to waive, limit or modify, Google's claims, rights or remedies against Leo Stoller, including without limitation for his acts and/or omissions as an officer, director, shareholder, representative or agent of Defendants, or against other person or entity other than

Central Mfg. and Stealth in connection with this action or otherwise.

11. This Court shall retain jurisdiction for the purposes of enforcing and/or interpreting this Permanent Injunction and Final Judgment to determine any issues which may arise concerning this Permanent Injunction and Final Judgment.

**IT IS SO STIPULATED.**

DATED: September \_\_, 2009

GOOGLE INC.

By: \_\_\_\_\_  
One of Its Attorneys

Michael T. Zeller (ARDC No. 6226433)  
QUINN EMANUEL URQUHART OLIVER  
& HEDGES, LLP  
865 South Figueroa Street, 10th Floor  
Los Angeles, California 90017  
Tel.: (213) 443-3000/Fax: (213) 443-3100

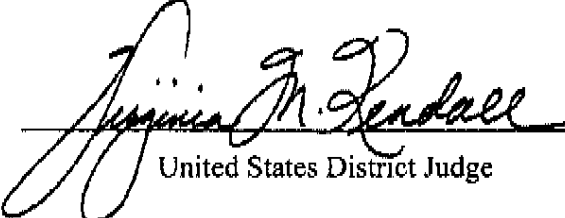
DATED: September 22, 2009

CENTRAL MFG. INC., STEALTH INDUSTRIES,  
INC. and THE SOCIETY FOR THE  
PREVENTION OF TRADEMARK ABUSE, LLC

By: \_\_\_\_\_  
Lance G. Johnson  
Director, The Society for the Prevention of  
Trademark Abuses, LLC  
President, Central Mfg. Inc.  
President, Stealth Industries, Inc.  
c/o Roylance, Abrams, Berdo & Goodman LLP  
1300 19th Street, NW Suite 600  
Washington, DC 20036  
Tel: (202) 659-9076/Fax: (202) 659-9344

**IT IS SO ORDERED.**

DATED: October 16, 2009

  
\_\_\_\_\_  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

GOOGLE, INC., )  
)  
Appellee/Plaintiff )  
)  
v. )  
)  
CENTRAL MFG. INC., et al., )  
)  
Defendants. )  
)  
v. )  
)  
LEO STOLLER., )  
)  
Intervenor/Appellant. )

Appeal No: \_\_\_\_\_

On appeal from the United States  
District Court, Northern District of  
Illinois, No. 1:07-cv-0385  
Honorable Virginia J. Kendall  
decisions dated August 17, 2009,  
and October 16, 2009

**FILED**

OCT 19 2009

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

NOTICE OF FILING

**TO: Michael T. Zeller, Esq.  
Quinn, Emanuel, Urquhart,  
Oliver & Hedges, L.L.P.  
865 S. Figueroa Street, 10<sup>th</sup> Floor  
Los Angeles, California 90017**

PLEASE TAKE NOTICE that on the 19<sup>th</sup> day of October, 2009, there was filed with the Clerk of the United States District Court the attached 1) Notice of Appeal, 2) Notice of *In Forma Pauperis* Petition Having Been Granted, and 3) Designation of Content of Record on Appeal.

I certify that the foregoing was mailed via first class mail on the 19<sup>th</sup> day of October, 2009, to the parties listed, with the U.S. Postal Service with proper postage prepaid.



Leo Stoller, *Appellant*  
7115 W. North Avenue #272  
Oak Park, Illinois 60302  
(312) 545-4554

**SEVENTH CIRCUIT COURT OF APPEALS INFORMATION SHEET**

Include the names of all plaintiffs (petitioners) and defendants (respondents) who are parties to the appeal. Use a separate sheet if needed.

NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION DOCKET NUMBER: 07 cv 385

PLAINTIFF (Petitioner)

v.

DEFENDANT (Respondent)

Stoller/appellant movant	Central Mfg/appellee
-----------------------------	----------------------

(Use separate sheet for additional counsel)

PETITIONER'S COUNSEL		RESPONDENT'S COUNSEL	
Name	Leo Stoller	Name	Lance G. Johnson
Firm	pro-se	Firm	Roylance, Abrams, Berdo & Goodman
Address	7115 W. North Ave. Oak Park, Il. 60302	Address	1300 19 <sup>th</sup> St. Street, NW Suite 600 Washington, DC 20036
Phone		Phone	202) 659-9076

Other Information			
District Judge	Kendall	Date Filed in District Court	1/19/07
Court Reporter	A. Metzler X-408-5154	Date of Judgment	10/16/09
Nature of Suit Code	470	Date of Notice of Appeal	10/19/09

COUNSEL: Appointed  Retained  Pro Se

FEE STATUS: Paid  Due  IFP

IFP Pending  U.S.  Waived

Has Docketing Statement been filed with the District Court Clerk's Office? Yes  No

If State/Federal Habeas Corpus (28 USC 2254/28 USC 2255), was Certificate of Appealability:

Granted  Denied  Pending

If Certificate of Appealability was granted or denied, date of order: \_\_\_\_\_

If defendant is in federal custody, please provide U.S. Marshall number (USM#): \_\_\_\_\_

**IMPORTANT: THIS FORM IS TO ACCOMPANY THE SHORT RECORD SENT TO THE CLERK OF THE U.S. COURT OF APPEALS PURSUANT TO CIRCUIT RULE 3(A). Rev 04/01**

**United States District Court, Northern District of Illinois**

<b>Name of Assigned Judge or Magistrate Judge</b>	Virginia M. Kendall	<b>Sitting Judge if Other than Assigned Judge</b>	
<b>CASE NUMBER</b>	07 C 385	<b>DATE</b>	10/16/2009
<b>CASE TITLE</b>	GOOGLE INC vs. CENTRAL MANUFACTURING INC et al		

**DOCKET ENTRY TEXT**

Stoller's motion for reconsideration is denied.

■ [ For further details see text below.]

Notices mailed by Judicial staff.

**STATEMENT**

Before the Court is Leo Stoller's ("Stoller") Motion for Reconsideration of the Court's August 17, 2009 Memorandum Opinion and Order denying his Motion to Intervene. (®. 111.) For the reasons stated, Stoller's Motion for Reconsideration is denied.

Plaintiff Google, Inc. ("Google") filed a civil RICO action against Defendants Central Mfg. Inc. ("Central") a/k/a Central Mf. Co. a/k/a Central Mfg. Co (Inc.) a/k/a Central Manufacturing Company Inc. a/k/a Central Mfg. Co. of Illinois and Stealth Industries, Inc. ("Rentamark") a/k/a Rentamark and a/k/a Rentamark.com (collectively "Defendants") on January 19, 2007, alleging, among other things, that the Defendants and their purported principal, Stoller, are engaged in a scheme of falsely claiming trademark rights for the purpose of attempting to extort money out of legitimate commercial actors. (®. 1.) On February 6, 2007, Stoller filed a Motion to Intervene in this action which the Court denied, finding that Stoller did not have a "direct, significant legally protectable interest" in the suit because he was acting as president of the "corporate" defendants when he undertook the actions described in the Complaint, and that as a result of his bankruptcy case he no longer held a stake in those businesses. (®. 16, R. 38.) Subsequently, the Court approved the settlement agreed to by Google and the Trustee of Stoller's bankruptcy estate and entered the permanent injunction contemplated by that agreement. (®. 57-58.) Stoller appealed both the denial of his motion to intervene and the final judgment in the lawsuit. The Seventh Circuit consolidated Stoller's appeals, vacated the final judgment issued and remanded the case for reconsideration of Stoller's Motion to Intervene. *See Google, Inc. v. Central Mfg. Inc. and Stealth Industries, Inc.*, Nos. 07-1569, 07-1612, 07-1651, 2008 WL 896376, at \*5 (7th Cir. 2008). In remanding the case, the Seventh Circuit directed the Court to "resolve in the first instance whether [Central and Rentamark] are entities that are subject to suit, whether and under what circumstances Google's suit in its present form can proceed without Stoller if they are not, and whether any of the unlawful conduct Google alleges gave rise to a claim that even involves the Chapter 7 estate." *Id.* After receiving the mandate, the Court reinstated Stoller's Motion to Intervene and permitted him to file a supplemental brief in support of his motion. (®. 93.)

## STATEMENT

On August 17, 2009, the Court issued a Memorandum Opinion and Order denying Stoller's Motion to Intervene finding that despite the fact that Central and Rentamark are Stoller's alter egos, Stoller cannot use the doctrine of "piercing the corporate veil" offensively to *defend* a lawsuit. (R. 110, at 7.) The Court noted that piercing the corporate veil is utilized only to protect third parties who have relied on the existence of the separate corporate entity, not for the benefit of the corporation itself or its shareholders. *See id.* After determining that Stoller was not permitted to intervene as a matter of right, per the Seventh Circuit's mandate, the Court ordered the parties to submit position papers on whether Central and Rentamark are entities that are subject to suit, and whether Google's claim arose prior to or after Stoller filed for bankruptcy to determine whether Google's claim even involves the Chapter 7 estate. (R. 110, at 9.) In its position paper, submitted on September 30, 2009, Google notified the Court that The Society for the Prevention of Trademark Abuse, LLC (the "SPTA") acquired all stock and other assets of Central and Rentamark in a bankruptcy auction under the auspices and with the approval of the Bankruptcy Court. (R. 121, at 1.)<sup>1</sup> Therefore, Stoller's Chapter 7 Trustee is no longer Central and Rentamark's representative but instead the entities are now under the ownership and control of the SPTA. (R. 121, at 2; R. 122-2, at 16-60.) On August 20, 2007, the same day that the SPTA acquired ownership of Central and Rentamark, the SPTA, as the new stockholder of the corporate entity Defendants, removed Stoller from "any and all positions, offices and capacities in connection with each of the corporations." (R. 121, at 3; R. 122-2, at 62-63.) Subsequently, on January 29, 2008 and April 24, 2008, the SPTA dissolved Central and Rentamark. (R. 121, at 4; R. 122, Exs., 13, 14.)

Federal Rule of Civil Procedure 59(e) serves the limited function of allowing courts to correct manifest errors of law or fact or consider newly discovered material evidence. *See Bordelon v. Chicago Sch. Reform Bd. Of Trustees*, 233 F.3d 524, 529 (7th Cir. 2000); *see also Oto v. Metropolitan Life Ins. Co.*, 224 F.3d 601, 606 (7th Cir. 2000) (manifest error is the wholesale disregard, misapplication, or failure to recognize controlling precedent). However, Rule 59(e) "does not provide a vehicle for a party to undo its own procedural failures, and it certainly does not allow a party to introduce new evidence or advance legal arguments that could and should have been presented to the district court prior to the judgment." *Moro v. Shell Oil Co.*, 91 F.3d 872, 876 (7th Cir. 1996). Reconsideration is only appropriate when "the Court has patently misunderstood a party or has made a decision outside the adversarial issues presented to the Court by the parties or has made an error not of reasoning but of apprehension." *Bank of Waunakee v. Rochester Cheese Sales, Inc.*, 906 F.2d 1185, 1191 (7th Cir. 1990) (internal quotations omitted). Whether to grant a Rule 59(e) motion "is entrusted to the sound judgment of the district court." *Matter of Prince*, 85 F.3d 314, 324 (7th Cir. 1996).

Stoller's Motion for Reconsideration sets forth no newly discovered material evidence and does not identify any controlling precedent that the Court failed to recognize, misapplied or wholly disregarded. Instead, it reiterates Stoller's previous argument that "Leo Stoller has a protectable interest in this case which the existing parties may not adequately represent Stoller's interests," and goes on to assert that his "reputation" as a "nationally recognized trademark expert" will be permanently damaged if he is not allowed to defend himself in this case. (R. 111, at 3.) Although the Court must construe *pro se* filings liberally, even litigants proceeding without the benefit of counsel must articulate some reason for disturbing the Court's judgment. *See Anderson v. Hardman*, 241 F.3d 544, 545 (7th Cir. 2001). Here, Stoller offers no articulable basis for disturbing the Court's previous ruling denying his Motion to Intervene. Courts have repeatedly held that purported injury to one's reputation is an insufficient interest for intervention of right. *See e.g., People Who Care v. Rockford Bd. of Educ., Sch. Dist. No. 205*, 179 F.R.D. 551, 562 (N.D. Ill. 1998) (effect on "political reputation" not a legally cognizable interest for intervention of right). Furthermore, this argument was available to Stoller when he filed his opening, supplemental and reply brief in support of his Motion to Intervene; he has not set for any newly discovered evidence. Google, however, has submitted new evidence to the Court which further supports the Court's denial of Stoller's Motion to Intervene; Stoller no longer has any interest or ownership in either Central or Rentamark and therefore has no interest related "to the property or the transaction which is the subject of the action." *See*

**STATEMENT**

Fed.R.Civ.P. 24(a). Accordingly, Stoller has failed to establish that the Court erred as to law or fact or that he has newly discovered material evidence. *See Bordelon*, 233 F.3d at 529. A meritorious motion to reconsider is rare and under Stoller's circumstances should not be granted. *See Bank of Waunakee*, 906 F.2d at 1191. Therefore, Stoller's Motion to Reconsider is denied.

Furthermore, as previously mentioned, since the Seventh Circuit's mandate, the Court has received new material information related to the corporate entity Defendants and Stoller's interest in those Defendants. Therefore, when the Seventh Circuit issued its mandate it did so under a different set of facts and circumstances. Currently, the corporate entity Defendants, Central and Rentamark, are no longer part of Stoller's bankruptcy estate but instead are currently under the control and ownership of the SPTA and the SPTA removed Stoller from "any and all positions, offices, and capacities in connection with each of the corporations." ®. 121.) Therefore, Google's claims against Central and Rentamark no longer involve Stoller's Chapter 7 estate. Furthermore, the circumstances giving rise to the Seventh Circuit's concern as to whether Central and Rentamark are entities that are subject to suit no longer exist because under the ownership and control of the SPTA they are no longer Stoller's alter egos. *See Palen v. Daewoo Motor Co.*, 832 N.E. 2d 173, 185 (Ill. App. Ct. 2005) (suits against legally nonexistent entities renders the suit void *ab initio*). Put another way, after the SPTA acquired all stock and assets in Central and Rentamark, they became corporate entities distinguishable from Stoller and not just trade names through which Stoller conducts business as an individual, making them entities that are subject to suit.<sup>2</sup>

Lastly, in his Motion for Reconsideration Stoller requests that the Court suspend the current action pending his appeal of the denial of his Motion to Intervene if his Motion to Reconsider is denied. ®. 111, at ¶ 10.) Having no right to intervene, however, Stoller has no right to file a motion to suspend ongoing proceedings. Stoller has not identified-and this Court is not aware of-any procedural mechanism by which a non-party may file a motion to suspend ongoing proceedings without intervening therein.

1. The Court notes that despite the fact that the Bankruptcy Court approved the sale of Central and Rentamark's stocks and assets to the SPTA on August 8, 2007, and all stock and assets in Central and Rentamark were transferred to the SPTA on August 20, 2007, Google did not bring this information to the Court's attention until September 09, 2009, when it made a mere passing reference to the SPTA's acquisition of Central and Rentamark. It was not until September 30, 2009, when it filed its position paper in response to the Court's request for additional information pursuant to the Seventh Circuit's mandate that Google provided the Court with additional information regarding the status of Stoller's bankruptcy proceedings and the transfer of Central's and Rentamark's stocks and assets to the SPTA.

2. The Court notes that Central's and Rentamark's dissolution does not prevent them from being subject to suit in the present action. Under both Illinois and Delaware state law, a corporation can participate in litigation after being dissolved if the litigation was initiated before or within five years or three years, respectively, after dissolution. *See* 805 ILCS 5/12.80 (corporation can sue or be sued on claims brought before and up to five years post-dissolution); 8 Del. C. § 278 (corporation can sue or be sued on claims brought before and up to three years post dissolution.). Here, Google filed its Complaint against Central and Rentamark on January 19, 2007 and the corporate entities were dissolved in January and April 2008, respectively. Therefore, Central and Rentamark, although dissolved are still subject to suit in this case.





UNITED STATES DISTRICT COURT  
FOR THE Northern District of Illinois – **CM/ECF LIVE, Ver 3.2.3**  
Eastern Division

Google Inc

Plaintiff,

v.

Case No.: 1:07-cv-00385

Honorable Virginia M. Kendall

Central Mfg. Inc., et al.

Defendant.

---

**NOTIFICATION OF DOCKET ENTRY**

This docket entry was made by the Clerk on Friday, October 16, 2009:

MINUTE entry before the Honorable Virginia M. Kendall: Enter Permanent Injunction and Final judgment. Civil case terminated. Mailed notice(jms, )

**ATTENTION:** This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at [www.ilnd.uscourts.gov](http://www.ilnd.uscourts.gov).

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

GOOGLE INC.,

Plaintiff,

vs.

CENTRAL MFG. INC. a/k/a CENTRAL  
MFG. CO., a/k/a CENTRAL MFG. CO.  
(INC.), a/k/a CENTRAL  
MANUFACTURING COMPANY, INC.  
and a/k/a CENTRAL MFG. CO. OF  
ILLINOIS; STEALTH INDUSTRIES,  
INC. a/k/a RENTAMARK and a/k/a  
RENTAMARK.COM; and  
LEO D. STOLLER a/k/a LEO REICH,

Defendants.

Civil Action No. 07 CV 385

Hon. Virginia M. Kendall

**PERMANENT INJUNCTION AND FINAL JUDGMENT AS TO  
DEFENDANTS CENTRAL MFG. INC. AND STEALTH INDUSTRIES, INC.**

This Stipulated Permanent Injunction and Final Judgment is entered into, on the one hand, by Plaintiff Google Inc. ("Google") and, on the other hand, by Defendant Central Mfg. Inc., also known without limitation as Central Mfg. Co., Central Mfg. Co. (Inc.), Central Manufacturing Company, Inc. and/or Central Mfg. Co. of Illinois (collectively, "Central Mfg."), and Defendant Stealth Industries, Inc. ("Stealth") (collectively, Central Mfg. and Stealth are the "Entity Defendants"). The parties having stipulated to the entry of the following Stipulated Permanent Injunction and Final Judgment, and good cause appearing for the entry thereof:

1. Pursuant to the Assignment attached hereto as Exhibit 1 and as approved by Order of the United States Bankruptcy Court for the Northern District of Illinois, The Society for the Prevention of Trademark Abuse, LLC, a limited liability company organized under the laws of Delaware (hereinafter The Society), has acquired all right, title and interest in the stock and all other assets, including any and all trademark rights, held by the Entity Defendants. The Sale of the Assets to the Purchaser was free and clear of all liens and all other claims whatsoever pursuant to Section 363(f) of the Bankruptcy Code, whether known or unknown, including, but not limited to, liens and claims of any of the Debtor's creditors, vendors, suppliers, employees or lessors, and The Society is not liable in any way (as a successor to the Debtor or otherwise) for any claims that any of the foregoing or any other third party may have against the Debtor or the Assets. Any and all alleged liens and claims on the Assets were transferred, affixed, and attached to the proceeds of the Sale, with the same validity, priority, force, and effect as such liens had been upon such property immediately prior to the Closing. Debtor or any person or entity acting in concert with the debtor were and continue to be enjoined from asserting any right, title, interest or claim in the assets following consummation of the sale by the trustee.

2. Leo Stoller was discharged as an officer or representative in any capacity of the Entity Defendants on August 20, 2007. Lance G. Johnson became the President of the Entity Defendants and oversaw the dissolution of the incorporated Entity Defendants by April 2008. All assets and claims for each of the Entity Defendants have been assigned to The Society. The Society thus stands as a successor in interest to any claims available to any of the Entity Defendants.

3. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338, 18 U.S.C. § 1964(c) and principles of supplemental jurisdiction under 28 U.S.C. § 1367(a), as well as personal jurisdiction over the Entity Defendants.

4. The Entity Defendants have been duly served with the summons and Complaint in this matter. If service is required in The Society, The Society hereby waives service and acknowledges receipt of the Complaint in this matter.

5. Judgment is hereby entered in favor of Plaintiff Google, and against each of the Entity Defendants and The Society, on Plaintiff Google's claims for false advertising in violation of the Lanham Act, 15 U.S.C. § 1125(a)(1)(B), for violations of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961 et seq. and for unfair competition.

6. The Entity Defendants and The Society admit each and every fact alleged in the Complaint. Without limiting the generality of the foregoing, each of the Entity Defendants and The Society admit and represent:

- (a) None of the Entity Defendants or The Society has or has had any right, title or interest of any kind in the GOOGLE mark or in any mark, trade name or designation that is confusingly similar or dilutes to the GOOGLE mark;
- (b) None of the Entity Defendants or The Society has or has had any right or lawful ability to license, or offer for licensing, the GOOGLE mark, or any mark or designation that is confusingly similar to or dilutes the GOOGLE mark, in connection with any goods, services or commercial activities; and
- (c) None of the Entity Defendants or The Society has or has had any right or lawful ability to hold themselves out as or to identify themselves as any business entity of any kind using, in whole or in part and regardless of what other terms may be included, the GOOGLE mark, or any mark or designation that is confusingly similar to or dilutes, the GOOGLE mark, including without limitation any of the following: "GOOGLE," "GOOGLE™ BRAND TRADEMARK LICENSING," "GOOGLE LICENSING" and/or "GOOGLE BRAND PRODUCTS & SERVICES."

7. Each of the Entity Defendants and The Society, as well as their officers, directors, principals, agents, servants, employees, successors, assigns, parents, subsidiaries and affiliates and all those acting on their behalf or in concert or participation with them, shall be and hereby are, effective immediately, permanently enjoined from engaging in any of the following acts:

- (a) claiming in any advertising, promotion or other materials, including without limitation on any web site, any right, title or interest in GOOGLE, whether in whole or in part and regardless of what other terms may be included, or in any mark, trade name, term, word or designation that is confusingly similar to or dilutes the GOOGLE mark;
- (b) instituting, filing or maintaining, or threatening to institute, file or maintain, any application, registration, suit, action, proceeding or any other matter with any Court, with the United States Trademark Office, with the United States Trademark Trial and Appeal Board or with any other judicial or administrative body that asserts any right, title or interest in GOOGLE, whether in whole or in part and regardless of what other terms may be included, or in any mark, trade name, term, word or designation that is confusingly similar to or dilutes the GOOGLE mark;
- (c) holding themselves out as or identifying themselves in any manner as any business entity of any kind using, whether in whole or in part and regardless of what other terms may be included, the GOOGLE mark or any mark, trade name, term, word or designation that is confusingly similar to or dilutes the GOOGLE mark, including without limitation any of the following: "GOOGLE," "GOOGLE™ BRAND TRADEMARK LICENSING," "GOOGLE LICENSING" and/or "GOOGLE BRAND PRODUCTS & SERVICES";
- (d) licensing, offering to license, assigning or offering to assign or claiming the ability to license or assign any mark, term, word or designation that embodies, incorporates or uses, in whole or in part and regardless of what other terms may be included, the GOOGLE mark or any mark or designation that is confusingly similar to or dilutes the GOOGLE mark;
- (e) interfering with, including without limitation by demanding in any manner any payment or other consideration of any kind for, Plaintiff's use, whether past, current or future, of any mark, name or designation embodying, incorporating or using, in whole or in part and regardless of what other terms may be included, Plaintiff's GOOGLE mark;
- (f) using the GOOGLE mark, whether in whole or in part and regardless of what other terms may be included, or any mark, trade name, term, word or

designation that is confusingly similar to or dilutes the GOOGLE mark, in connection with the sale, offering for sale, licensing, offering for license, importation, transfer, distribution, display, marketing, advertisement or promotion of any goods, services or commercial activity of any Defendant;

- (g) engaging in acts of unfair competition or passing off with respect to Plaintiff Google;
- (h) assisting, aiding or abetting any other person or entity in engaging in or performing any of the activities referred to in subparagraphs (a) through (g) above.

8. Each party to this Permanent Injunction and Final Judgment shall bear its respective attorney's fees, costs and expenses incurred in this action.

9. The Entity Defendants and The Society hereby waive any further findings of fact and conclusions of law in connection with this Permanent Injunction and Final Judgment and all right to appeal therefrom. It is the intention of the parties hereto that this Permanent Injunction and Final Judgment be afforded full collateral estoppel and res judicata effect as against the Entity Defendants and The Society and shall be enforceable as such. The Entity Defendants and The Society further hereby waive in this proceeding, including without limitation in any proceedings brought to enforce and/or interpret this Permanent Injunction and Final Judgment, and in any future proceedings between the parties any and all defenses and/or claims that could have been asserted by the Entity Defendants or The Society against Plaintiff, including without limitation any and all defenses, claims or contentions that Plaintiff's GOOGLE mark is invalid and/or unenforceable and/or that any person or entity other than Plaintiff has superior rights to the GOOGLE mark. Without limiting the generality of the foregoing, in the event that Plaintiff brings any proceeding to enforce this Permanent Injunction and Final Judgment, no Entity Defendant or The Society shall be entitled to assert, and each Entity Defendant and The Society hereby waives any right to assert, any defense or contention other than that he or it has complied or substantially complied in good faith with the terms of this Permanent Injunction and Final Judgment.

10. Nothing in this Judgment is intended to waive, limit or modify in any manner, and shall not be construed to waive, limit or modify, Google's claims, rights or remedies against Leo Stoller, including without limitation for his acts and/or omissions as an officer, director, shareholder, representative or agent of Defendants, or against other person or entity other than

Central Mfg. and Stealth in connection with this action or otherwise.

11. This Court shall retain jurisdiction for the purposes of enforcing and/or interpreting this Permanent Injunction and Final Judgment to determine any issues which may arise concerning this Permanent Injunction and Final Judgment.

**IT IS SO STIPULATED.**

DATED: September \_\_, 2009

GOOGLE INC.

By: \_\_\_\_\_  
One of Its Attorneys

Michael T. Zeller (ARDC No. 6226433)  
QUINN EMANUEL URQUHART OLIVER  
& HEDGES, LLP  
865 South Figueroa Street, 10th Floor  
Los Angeles, California 90017  
Tel.: (213) 443-3000/Fax: (213) 443-3100

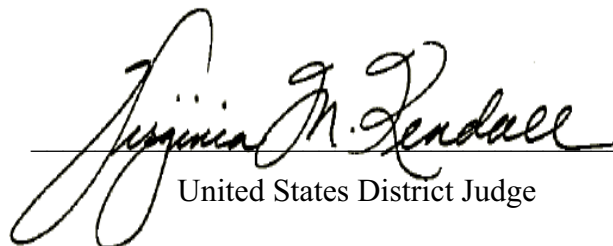
DATED: September 22, 2009

CENTRAL MFG. INC., STEALTH INDUSTRIES,  
INC. and THE SOCIETY FOR THE  
PREVENTION OF TRADEMARK ABUSE, LLC

By: \_\_\_\_\_  
Lance G. Johnson  
Director, The Society for the Prevention of  
Trademark Abuses, LLC  
President, Central Mfg. Inc.  
President, Stealth Industries, Inc.  
c/o Royslance, Abrams, Berdo & Goodman LLP  
1300 19th Street, NW Suite 600  
Washington, DC 20036  
Tel: (202) 659-9076/Fax: (202) 659-9344

**IT IS SO ORDERED.**

DATED: October 16, 2009

  
\_\_\_\_\_  
United States District Judge



APPEAL, COLE, REOPEN, TERMED

**United States District Court**  
**Northern District of Illinois - CM/ECF LIVE, Ver 3.2.3 (Chicago)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-00385**  
**Internal Use Only**

Google Inc v. Central Mfg. Inc. et al  
Assigned to: Honorable Virginia M. Kendall  
Case in other court: 07-01612  
07-01651  
Cause: 18:1961 Racketeering (RICO) Act

Date Filed: 01/19/2007  
Date Terminated: 10/16/2009  
Jury Demand: None  
Nature of Suit: 470 Racketeer/Corrupt  
Organization  
Jurisdiction: Federal Question

**Plaintiff**

**Google Inc**

represented by **Michael Thomas Zeller**  
Quinn Emanuel Urquhart & Oliver,  
LLP  
865 South Figueroa Street  
10th Floor  
Los Angeles , CA 90017  
(213) 443-3000  
Email:  
michaelzeller@quinnemanuel.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jonathan M. Cyrluk**  
Stetler & Duffy, Ltd.  
11 South LaSalle Street  
Suite 1200  
Chicago , IL 60603-1203  
(312) 338-0200  
Email: cyrluk@stetlerandduffy.com  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**William John Barrett**  
Barack Ferrazzano Kirschbaum &  
Nagelberg LLP  
200 West Madison  
Suite 3900  
Chicago , IL 60606  
(312) 984-3100  
Email: william.barrett@bfkn.com  
*TERMINATED: 05/15/2008*

V.

**Defendant**

**Central Mfg. Inc.**

*also known as*

Central Mfg Co

*also known as*

Central Mfg Co. (Inc.)

*also known as*

Central Manufacturing Company, Inc.

*also known as*

Central Mfg. Co. of Illinois

**Defendant**

**Stealth Industries, Inc.**

*also known as*

Rentamark

*also known as*

Rentamark.Com

**Defendant**

**Central Mfg. Inc. and Stealth  
Industries, by and through Richard  
M. Fogel, not individually but as  
Chapter 7 Trustee**

**Defendant**

**The Society for the Prevention of  
Trademark Abuse, LLC as successor  
in interest to Central Mfg. Inc and  
Stealth Industries, Inc.**

represented by **Lance G. Johnson**  
Roylance, Abrams, Berdo & Goodman  
LLP  
1300 19th Street, NW  
Suite 600  
Washington , DC 20036  
202 659 9076  
*ATTORNEY TO BE NOTICED*

**Barack Ferrazzano Kirschbaum &  
Nagelberg LLP**

represented by **Barack Ferrazzano Kirschbaum &  
Nagelberg LLP**  
*ATTORNEY TO BE NOTICED*

V.

**Movant**

**Leo Stoller**

represented by **Leo Stoller**  
7115 W. North Avenue  
Oak Park, IL 60302  
(312)545-4554  
PRO SE

V.

**Trustee**

**Richard M. Fogel, not individually,  
but as chapter 7 trustee of the  
bankruptcy estate of Leo Stoller**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/19/2007	<a href="#">1</a>	COMPLAINT filed by Google Inc; (eav, ) (Entered: 01/22/2007)
01/19/2007	<a href="#">2</a>	CIVIL Cover Sheet (eav, ) (Entered: 01/22/2007)
01/19/2007	<a href="#">3</a>	ATTORNEY Appearance for Plaintiff Google Inc by Michael Thomas Zeller (eav, ) (Entered: 01/22/2007)
01/19/2007	<a href="#">4</a>	ATTORNEY Appearance for Plaintiff Google Inc by William John Barrett (eav, ) (Entered: 01/22/2007)
01/19/2007	<a href="#">5</a>	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Google Inc (eav, ) (Entered: 01/22/2007)
01/19/2007	<a href="#">6</a>	(Court only) RECEIPT regarding payment of filing fee paid on 1/19/2007 in the amount of \$350.00, receipt number 10337772 (eav, ) (Entered: 01/22/2007)
01/19/2007	<a href="#">7</a>	SUMMONS Issued as to Defendant Central Mfg. Inc. (eav, ) (Entered: 01/22/2007)
01/30/2007	<a href="#">8</a>	MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc. to interplead (Exhibits) (eav, ) Additional attachment(s) added on 1/31/2007 (eav, ). (Entered: 01/31/2007)
01/30/2007	<a href="#">9</a>	MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc. to suspend pending the Appeal to lift the automatic stay for Google to sue the debtor Leo Stoller (Exhibits) (eav, ) (Entered: 01/31/2007)
01/30/2007	<a href="#">10</a>	MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc. to suspend pending the Trademark trial and Appeal Board's decision on the defendant's motion for summary judgment (eav, ) (Entered: 01/31/2007)
01/30/2007	<a href="#">11</a>	MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc. to suspend (eav, ) (Entered: 01/31/2007)
01/30/2007	<a href="#">12</a>	NOTICE of Motion by Stealth Industries, Inc., Central Mfg. Inc. for presentment of motion to Interplead <a href="#">9</a> , motion to Suspend <a href="#">10</a> , motion to Suspend pending Appeal to lift automatic stay for Google to sue the Debtor, Leo Stoller, and <a href="#">11</a> , motion to suspend pending the Trademark Trial and Appeal Board's Decision on the defendant's motion for summary judgment <a href="#">8</a> before Honorable Virginia M. Kendall on 2/5/2007 at 9:00 AM. (eav, ) (Entered: 01/31/2007)

01/30/2007	<a href="#">13</a>	PRO SE Appearance by Leo Stolla (eav, ) (Entered: 02/01/2007)
02/05/2007	<a href="#">15</a>	MINUTE entry before Judge Virginia M. Kendall :Motion hearing held. Motion to interplead <a href="#">8</a> ; Motion to suspend pending the Appeal to lift the automatic stay for Google to sue the debtor Leo Stoller <a href="#">9</a> ; Motion to suspend pending the Trademark trial and Appeal Board's decision on the defendant's motion for summary judgment <a href="#">10</a> ; and Motion to suspend <a href="#">11</a> are entered and continued to 2/20/2007 at 9:00 AM. Responses due by 2/12/2007. No replies are necessary.Mailed notice (gmr, ) (Entered: 02/06/2007)
02/06/2007	<a href="#">14</a>	SUMMONS Returned Executed by Google Inc as to Stealth Industries, Inc. on 1/23/2007, answer due 2/12/2007; Central Mfg. Inc. on 1/23/2007, answer due 2/12/2007. (Barrett, William) (Entered: 02/06/2007)
02/06/2007	<a href="#">16</a>	MOTION by Leo Stolla to intervene (eav, ) (Entered: 02/07/2007)
02/06/2007	<a href="#">17</a>	NOTICE of Motion by Leo Stolla for motion to intervene <a href="#">16</a> before Honorable Virginia M. Kendall on 2/12/2007 at 9:00 AM. (eav, ) (Entered: 02/07/2007)
02/07/2007	<a href="#">18</a>	MINUTE entry before Judge Virginia M. Kendall :Motion to intervene <a href="#">16</a> is entered and continued to 2/20/2007 at 09:00 AM. Any response shall be filed by 2/12/2007. No reply is necessary. The presentment date of 2/12/2007 for said motion is hereby stricken.Mailed notice (gmr, ) (Entered: 02/07/2007)
02/12/2007	<a href="#">19</a>	RESPONSE by Richard M. Fogel, not individually, but as chapter 7 trustee of the bankruptcy estate of Leo Stoller in Opposition to MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.suspend <a href="#">10</a> , MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.interplead <a href="#">8</a> , MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.to suspend <a href="#">9</a> , MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.to suspend <a href="#">11</a> , MOTION by Plaintiff Leo Stolla to intervene <a href="#">16</a> and Joinder to Responses of Google Inc. (Alwin, Janice) (Entered: 02/12/2007)
02/12/2007	<a href="#">20</a>	RESPONSE by Google Inc in Opposition to MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.interplead <a href="#">8</a> , MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.to suspend <a href="#">9</a> , MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.to suspend <a href="#">11</a> , MOTION by Plaintiff Leo Stolla to intervene <a href="#">16</a> (Barrett, William) (Entered: 02/12/2007)
02/12/2007	<a href="#">21</a>	RESPONSE by Google Inc in Opposition to MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.suspend <a href="#">10</a> (Barrett, William) (Entered: 02/12/2007)
02/12/2007	<a href="#">22</a>	DECLARATION of Michael T. Zeller regarding response in opposition to motion <a href="#">21</a> , response in opposition to motion, <a href="#">20</a> by Google Inc (Attachments: # <a href="#">1</a> Exhibit 1# <a href="#">2</a> Exhibit 2# <a href="#">3</a> Exhibit 3# <a href="#">4</a> Exhibit 4# <a href="#">5</a> Exhibit 5# <a href="#">6</a> Exhibit 6# <a href="#">7</a> Exhibit 7# <a href="#">8</a> Exhibit 8# <a href="#">9</a> Exhibit 9# <a href="#">10</a> Exhibit 10# <a href="#">11</a> Exhibit 11# <a href="#">12</a> Exhibit 12# <a href="#">13</a> Exhibit 13# <a href="#">14</a> Exhibit 14# <a href="#">15</a> Exhibit 15# <a href="#">16</a> Exhibit 16# <a href="#">17</a> Exhibit 17# <a href="#">18</a> Exhibit 18# <a href="#">19</a> Exhibit 19# <a href="#">20</a> Exhibit 20# <a href="#">21</a> Exhibit 21# <a href="#">22</a> Exhibit 22# <a href="#">23</a> Exhibit 23# <a href="#">24</a> Exhibit 24# <a href="#">25</a> Exhibit 25# <a href="#">26</a> Exhibit 26# <a href="#">27</a> Exhibit 27# <a href="#">28</a> Exhibit 28# <a href="#">29</a> Exhibit 29# <a href="#">30</a> Exhibit 30)(Barrett, William)

		(Entered: 02/12/2007)
02/12/2007	<a href="#">23</a>	MOTION by Plaintiff Google Inc for permanent injunction ( <i>Stipulated</i> ), MOTION by Plaintiff Google Inc for judgment ( <i>Final</i> ) (Barrett, William) (Entered: 02/12/2007)
02/12/2007	<a href="#">24</a>	NOTICE of Motion by William John Barrett for presentment of motion for permanent injunction, motion for judgment <a href="#">23</a> before Honorable Virginia M. Kendall on 2/20/2007 at 09:00 AM. (Barrett, William) (Entered: 02/12/2007)
02/13/2007	<a href="#">25</a>	SUPPLEMENT by Google Inc to declaration,, <a href="#">22</a> <i>Supplemental Declaration of Michael T. Zeller</i> (Barrett, William) (Entered: 02/13/2007)
02/13/2007	<a href="#">26</a>	CERTIFICATE by Google Inc of Service of the Permanent Injunction and Final Judgment as to Defendants Central Mfg. Inc. and Stealth Industries, Inc. (Proposed Order) (Barrett, William) (Entered: 02/13/2007)
02/13/2007	<a href="#">27</a>	MEMORANDUM by Google Inc in support of motion for permanent injunction, motion for judgment <a href="#">23</a> <i>Google Inc.'s Separate Memorandum in Support of Joint Motion for Entry of Stipulated Permanent Injunction and Final Judgment</i> (Barrett, William) (Entered: 02/13/2007)
02/15/2007	<a href="#">28</a>	Notice of Filing Supplemental Authority by Leo Stolla ; Notice of filing (eav, ) (Entered: 02/20/2007)
02/16/2007	<a href="#">30</a>	OBJECTION by Leo Stoller to Joint Moiton for Entry of Stipulated Permanent Inj8unction and Final Judgment; Notice of filing (Exhibits) (eav, ) (Entered: 02/21/2007)
02/20/2007	<a href="#">29</a>	MINUTE entry before Judge Virginia M. Kendall :Motion hearing held. All pending motions are taken under advisement, with a ruling by mail. Status hearing set for 3/13/2007 at 09:00 AM.Mailed notice (gmr, ) (Entered: 02/20/2007)
02/22/2007	<a href="#">31</a>	REPLY by Defendant Leo Stolla to Trustee's Ominibus response in opposition to motions of debtor Leo Stoller to: (1) Intevene; (II) Interplead; (III) Suspend proceeding for sixty days to retain counsel, for defendants; (IV) Suspend pending appeal to lift automactic stay for Google to sue the debtor; and (V) Suspend pending trademark trial and appeal Board's decision for defendants' motion for summary judgment and joinder of responses by Google, Inc.; Notice of filing (eav, ) (Entered: 02/26/2007)
03/02/2007	<a href="#">32</a>	MOTION by Defendant Leo Stolla to dismiss for failure to join a party under Rule F.R.C.P. 19 (eav, ) (Entered: 03/05/2007)
03/02/2007	<a href="#">33</a>	NOTICE of Motion by Leo Stolla for presentment of motion to dismiss <a href="#">32</a> before Honorable Virginia M. Kendall on 3/7/2007 at 09:00 AM. (eav, ) (Entered: 03/05/2007)
03/02/2007	<a href="#">35</a>	REPLY by Defendant Leo Stolla to Google Inc.'s combined opposition to debtor Leo Stoller's motions (1) to intervene, (2) to interplead, (3) to suspend for sixty days to retain counsel for defendants and (4) to suspend pending appeal to lift automatic stay for Google to sue the debtor ; Notice of filing (eav, ) (Entered: 03/06/2007)

03/02/2007	<a href="#">36</a>	REPLY by Movant Leo Stoller to Google Inc.'s opposition to debtor Leo Stoller's motion to suspend pending the trademark trial and appeal board's decision on defendant's motion for summary judgment <a href="#">21</a> (Exhibits); Notice. (smm) (Entered: 03/08/2007)
03/05/2007	<a href="#">34</a>	MINUTE entry before Judge Virginia M. Kendall :On March 2, 2007, Leo Stoller ("Stoller") filed a Motion to Dismiss for failure to join a party -- himself -- pursuant to Fed. R. Civ. P. 19. Stoller previously filed a motion to intervene in this action on February 6, 2007. The Court has not yet ruled upon that motion. As such, Stoller remains a non-party and lacks standing to file a motion pursuant to Rule 19. See Arrow v. Gambler's Supply, Inc., 55 F.3d 407, 409 (8th Cir. 1995) ("only a party may make a Rule 19 motion") (citing Thompson v. Boggs, 33 F.3d 847, 858 n. 10 (7th Cir. 1994) (noting lack of any precedent for granting a non-party's motion for joinder)). Accordingly, Stoller's Motion to Dismiss <a href="#">32</a> is stricken and the parties need not appear on March 7, 2007.Mailed notice (gmr, ) (Entered: 03/05/2007)
03/12/2007	<a href="#">37</a>	MINUTE entry before Judge Virginia M. Kendall :For the reasons set out in the Memorandum Opinion and Order, Motion to intervene <a href="#">16</a> is denied; Motion to interplead <a href="#">8</a> is denied; and Motions to suspend <a href="#">9</a> , <a href="#">10</a> , <a href="#">11</a> are denied.Mailed notice (eav, ) (Entered: 03/13/2007)
03/12/2007	<a href="#">38</a>	MEMORANDUM Opinion and Order Signed by Judge Virginia M. Kendall on 3/12/2007:Mailed notice(eav, ) (Entered: 03/13/2007)
03/13/2007	<a href="#">39</a>	NOTICE of appeal by Leo Stoller regarding orders <a href="#">37</a> , <a href="#">38</a> ; Notice of Filing (Fee Due) (dj, ) (Entered: 03/15/2007)
03/15/2007	<a href="#">40</a>	TRANSMITTED to the 7th Circuit the short record on 3/15/07 notice of appeal <a href="#">39</a> . Notified counsel (dj, ) (Entered: 03/15/2007)
03/15/2007	<a href="#">41</a>	MOTION by Movant Leo Stoller for leave to appeal in forma pauperis (eav, ) Modified on 5/4/2007 (tg, ). (Entered: 03/16/2007)
03/15/2007	<a href="#">42</a>	NOTICE of Motion by Leo Stoller for presentment of motion for leave to appeal in forma pauperis <a href="#">41</a> before Honorable Virginia M. Kendall on 3/19/2007 at 09:00 AM. (eav, ) Modified on 5/4/2007 (tg, ). (Entered: 03/16/2007)
03/15/2007	<a href="#">43</a>	MOTION by Movant Leo Stoller under FRCP 59 and/or 60 (Exhibits) (eav, ) (Entered: 03/16/2007)
03/15/2007	<a href="#">44</a>	NOTICE of Motion by Leo Stoller for presentment of under FRCP 59 and/or 60 <a href="#">43</a> before Honorable Virginia M. Kendall on 3/19/2007 at 09:00 AM. (eav, ) (Entered: 03/16/2007)
03/15/2007	<a href="#">45</a>	NOTICE by Leo Stoller of filing motion for leave to appeal in forma pauperis <a href="#">41</a> (eav, ) (Entered: 03/16/2007)
03/15/2007	<a href="#">54</a>	ACKNOWLEDGEMENT of receipt of short record on appeal regarding notice of appeal <a href="#">39</a> ; USCA Case No. 07-1569. (smm) (Entered: 03/20/2007)
03/15/2007	<a href="#">55</a>	CIRCUIT Rule 3(b) Notice. (smm) (Entered: 03/20/2007)

03/15/2007	<a href="#">57</a>	MINUTE entry before Judge Virginia M. Kendall :Joint motion for entry of stipulated permanent injunction and final judgment <a href="#">23</a> is granted. Enter permanent injunction and final judgment as to defendants Central Mfg., Inc. and Stealth Industries, Inc.Mailed notice Civil case terminated (eav, ) (Entered: 03/20/2007)
03/15/2007	<a href="#">58</a>	PERMANENT INJUNCTION and Final Judgment as to defendants Central Mfg., Inc. and Stealth Industries, Inc. Signed by Judge Virginia M. Kendall on 3/15/2007:Mailed notice(eav, ) (Entered: 03/20/2007)
03/16/2007	<a href="#">46</a>	MINUTE entry before Judge Virginia M. Kendall :For the reasons stated below, Movant Stoller's motion to reconsider <a href="#">43</a> is denied. The presentment date of 3/19/2007 for said motion is hereby stricken.Mailed notice (gmr, ) Additional attachment(s) added on 3/16/2007 (gmr, ). (Entered: 03/16/2007)
03/16/2007	<a href="#">47</a>	RESPONSE by Google Incin Opposition to MOTION by Movant Leo Stoller for leave to appeal in forma pauperis <a href="#">41</a> (Barrett, William) (Entered: 03/16/2007)
03/16/2007	<a href="#">48</a>	NOTICE by Google Inc re response in opposition to motion <a href="#">47</a> <i>Notice of Filing</i> (Barrett, William) (Entered: 03/16/2007)
03/16/2007	<a href="#">49</a>	DECLARATION of Michael T. Zeller regarding response in opposition to motion <a href="#">47</a> by Google Inc (Attachments: # <a href="#">1</a> Exhibit A-G# <a href="#">2</a> Exhibit H-J) (Barrett, William) (Entered: 03/16/2007)
03/16/2007	<a href="#">50</a>	NOTICE by Google Inc re declaration <a href="#">49</a> <i>Notice of Filing</i> (Barrett, William) (Entered: 03/16/2007)
03/19/2007	<a href="#">51</a>	SUPPLEMENTAL NOTICE of appeal by Leo Stoller regarding orders <a href="#">46</a> , <a href="#">34</a> ;(Fee Due) (dj, ) (Entered: 03/20/2007)
03/19/2007	<a href="#">52</a>	DESIGNATION by Leo Stoller of the content of the record on appeal : USCA Case No. 07-1569 (dj, ) (Entered: 03/20/2007)
03/19/2007	<a href="#">56</a>	MINUTE entry before Judge Virginia M. Kendall :Motion hearing held on 3/19/2007. For the reasons stated on the record in open court, movant Stoller's motion for permission to appeal in forma pauperis <a href="#">41</a> is granted.Mailed notice (eav, ) (Entered: 03/20/2007)
03/19/2007	<a href="#">60</a>	REPLY by Movant Leo Stoller to Google's opposition to motion for permission to appeal in forma pauperis (eav, ) Modified on 5/17/2007 (vcf, ). (Entered: 03/22/2007)
03/20/2007	<a href="#">53</a>	TRANSMITTED to the 7th Circuit the short record on 3/20/07 notice of appeal <a href="#">51</a> . Notified counsel (dj, ) (Entered: 03/20/2007)
03/20/2007	<a href="#">61</a>	ACKNOWLEDGEMENT of receipt of short record on appeal regarding notice of appeal <a href="#">39</a> ; USCA Case No. 07-1612. (rp, ) (Entered: 03/23/2007)
03/20/2007	<a href="#">62</a>	CIRCUIT Rule 3(b) Notice. (rp, ) (Entered: 03/23/2007)
03/21/2007	<a href="#">59</a>	TRANSCRIPT of proceedings for the following dates: 2/5/07, 3/13/07 and 3/19/07; Before the Honorable Virginia M. Kendall (3 volumes) (eav, ) (Entered: 03/22/2007)

03/21/2007	<a href="#">63</a>	SUPPLEMENTAL NOTICE of appeal by Leo Stoller regarding orders <a href="#">58</a> , <a href="#">57</a> ; (Fee Due) (dj, ) (Entered: 03/23/2007)
03/23/2007	<a href="#">64</a>	TRANSMITTED to the 7th Circuit the short record on 3/23/07 notice of appeal <a href="#">63</a> . Notified counsel (dj, ) (Entered: 03/23/2007)
03/23/2007	<a href="#">65</a>	ACKNOWLEDGEMENT of receipt of short record on appeal regarding notice of appeal <a href="#">63</a> ; USCA Case No. 07-1651. (smm) (Entered: 03/27/2007)
03/23/2007	<a href="#">66</a>	CIRCUIT Rule 3(b) Notice. (smm) (Entered: 03/27/2007)
03/27/2007	<a href="#">67</a>	DESIGNATION of the content by Leo Stoller of record on appeal : USCA Case No. 07-1651 (dj, ) (Entered: 03/28/2007)
03/27/2007	<a href="#">68</a>	COPIES of TRANSCRIPTS of the hearing before the Honorable Virginia M. Kendall on March 13, 2007, 2) Transcript of the hearing before the Honorable Virginia M. Kendall on March 19, 2007 and 3) Transcript of the hearing before the Honorable Jack B. Schmetterer on March 1, 2007 by Leo Stoller; Notice. (td, ) (Entered: 03/29/2007)
03/28/2007	<a href="#">69</a>	DESIGNATION by Leo Stoller of Additional Content of the Record on Appeal. (rp, ) (Entered: 03/30/2007)
04/10/2007	<a href="#">70</a>	DESIGNATION by Leo Stoller of additional content of the record on appeal <a href="#">46</a> : USCA Case No. 07-1651 (hp, ) (Entered: 04/12/2007)
04/12/2007	<a href="#">71</a>	TRANSMITTED to the USCA for the 7th Circuit the long record on appeal <a href="#">51</a> , <a href="#">39</a> , <a href="#">63</a> (USCA no. 07-1569, 07-1612 and 07-1651) consisting of 1 volume of pleadings, 2 loose pleadings and 3 transcripts. (dj, ) (Entered: 04/12/2007)
04/12/2007	<a href="#">72</a>	TRANSCRIPT of proceedings for the following dates: 02/20/07 before the Honorable Virginia M. Kendall. (ar, ) (Entered: 04/13/2007)
04/12/2007	<a href="#">74</a>	USCA RECEIVED on 4/12/07 the long record regarding notice of appeal <a href="#">51</a> , <a href="#">39</a> , <a href="#">63</a> ; (07-1569, 07-1612 and 07-1651) (dj, ) (Entered: 04/17/2007)
04/13/2007	<a href="#">73</a>	TRANSMITTED to the USCA for the 7th Circuit supplemental record on appeal, <a href="#">51</a> <a href="#">39</a> and <a href="#">63</a> , (USCA nos. 07-1569, 07-1612, and 07-1651) consisting of one transcript <a href="#">72</a> . Mailed copies of USCA transmittal letter and certificate to counsel of record. (ar, ) (Entered: 04/13/2007)
05/10/2007	<a href="#">75</a>	MOTION by Movant Leo Stoller for leave to file designation of supplemental content of record on appeal. (smm) (Entered: 05/11/2007)
05/10/2007	<a href="#">76</a>	NOTICE of Motion by Leo Stoller for presentment of motion for leave to file designation of supplemental content of record on appeal <a href="#">75</a> before Honorable Virginia M. Kendall on 5/14/2007 at 9:00 A.M. (smm) (Entered: 05/11/2007)
05/10/2007	<a href="#">79</a>	DESIGNATION of supplemental content of record on appeal by Leo Stoller; Notice. (smm) (Entered: 05/16/2007)
05/11/2007	<a href="#">77</a>	RESPONSE by Google Incin Opposition to MOTION by Movant Leo Stoller for leave to file <a href="#">75</a> (Barrett, William) (Entered: 05/11/2007)



05/14/2007	<a href="#">78</a>	MINUTE entry before Judge Virginia M. Kendall :Motion for leave to file designation of supplemental content of record on appeal <a href="#">75</a> is denied as moot.Mailed notice (gmr, ) (Entered: 05/14/2007)
05/16/2007	<a href="#">80</a>	DESIGNATION of additional content of the record on appeal by Leo Stoller (Exhibit); Notice. (smm) (Entered: 05/18/2007)
05/16/2007	<a href="#">81</a>	DESIGNATION of supplemental content of record on appeal by Leo Stoller (Exhibits); Notice. (smm) (Entered: 05/18/2007)
05/31/2007	<a href="#">82</a>	NOTICE by William John Barrett of Change of Address (Barrett, William) (Entered: 05/31/2007)
08/08/2007	<a href="#">83</a>	CERTIFIED copy of order dated 8/7/2007 from the 7th Circuit regarding notice of appeal <a href="#">51</a> , notice of appeal <a href="#">39</a> , notice of appeal <a href="#">63</a> ; Appellate case no. : 07-1569, 07-1612, 07-1651 It is ordered that the #1 and #3 are Denied. It is further Ordered that Stoller is fined \$10,000, payable to the Clerk of this Court. If this fine is not paid within 14 days, we will enter an order under Support Systems, Int'l, Inc. v. Mack, 45 F.3d 185 (7th Cir. 1995), directing the clerks of all the federal courts in this circuit to return unfiled any papers submitted either directly or indirectly by or on behalf of Stoller unless and until he pays in full the sanction that has been imposed against him. (rp, ) (Entered: 08/13/2007)
04/24/2008	<a href="#">84</a>	LETTER from the USCA retaining the record on appeal in USCA no. 07-1569, 07-1612, 07-1651 consisting of one volume of pleadings, two volumes of loose pleadings and four volumes of transcripts. (kjc, ) (Entered: 04/28/2008)
04/24/2008	<a href="#">85</a>	MANDATE of USCA dated 4/2/2008 regarding notice of appeal <a href="#">51</a> , notice of appeal <a href="#">39</a> , notice of appeal <a href="#">63</a> ; USCA No. 07-1569, 07-1612, 07-1651 ; The ruling on the motions to intervene and the final judgment Vacated and the case Remanded for further proceedings, in accordance with the decision of this court entered on this date. (kjc, ) (Entered: 04/28/2008)
04/24/2008	<a href="#">86</a>	OPINION from the USCA for the 7th Circuit; Argued 4/2/2008; Decided 4/2/2008 in USCA case no. 07-1569, 07-1612 & 07-1651. (kjc, ) (Entered: 04/28/2008)
05/02/2008	<a href="#">87</a>	MINUTE entry before Judge Virginia M. Kendall: Status hearing set for 5/15/2008 at 09:00 AM. Mailed notice. (kw, ) (Entered: 05/02/2008)
05/12/2008	<a href="#">88</a>	MOTION to withdraw as attorney <i>for Plaintiff, Google, Inc.</i> (Barrett, William) (Entered: 05/12/2008)
05/12/2008	<a href="#">89</a>	NOTICE of Motion by William John Barrett for presentment of motion to withdraw as attorney <a href="#">88</a> before Honorable Virginia M. Kendall on 5/15/2008 at 09:00 AM. (Barrett, William) (Entered: 05/12/2008)
05/14/2008	<a href="#">90</a>	ATTORNEY Appearance for Plaintiff Google Inc by Jonathan M. Cyrluk (Cyrluk, Jonathan) (Entered: 05/14/2008)
05/14/2008	<a href="#">91</a>	MOTION by Plaintiff Google Inc to substitute attorney, MOTION by counsel for Plaintiff Google Inc to withdraw as attorney (Cyrluk, Jonathan) (Entered: 05/14/2008)

		05/14/2008)
05/14/2008	<a href="#">92</a>	NOTICE of Motion by Jonathan M. Cyrluk for presentment of motion to substitute attorney, motion to withdraw as attorney <a href="#">91</a> before Honorable Virginia M. Kendall on 5/20/2008 at 09:00 AM. (Cyrluk, Jonathan) (Entered: 05/14/2008)
05/15/2008	<a href="#">93</a>	MINUTE entry before the Honorable Virginia M. Kendall: Status hearing held. Plaintiff's Motion to Withdraw Attorney William J. Barrett <a href="#">88</a> and to Substitute Jonathan M. Cyrluk as Local Counsel <a href="#">91</a> are granted. The Motion to Intervene is reinstated. Plaintiff to supplement the Motion by 6/9/2008; response due 6/30/2008; reply due 7/7/2008. Defendant must pay the fine as ordered by the 7th Circuit by 6/9/2008 or this case will be dismissed. Mailed notice. (kw, ) Modified on 5/23/2008 (kw, ). (Entered: 05/16/2008)
05/16/2008	<a href="#">94</a>	MINUTE entry before the Honorable Virginia M. Kendall: Minute entry <a href="#">93</a> is amended to reflect that the Defendant must pay his fine prior to the filing of any papers in this case. In all other respects the minute entry stands. Mailed notice. (kw, ) (Entered: 05/16/2008)
05/23/2008	<a href="#">95</a>	MINUTE entry before the Honorable Virginia M. Kendall: It has been brought to the Court's attention that electronic notice of minute entry <a href="#">93</a> was not distributed. The Court hereby brings notice to all parties of the filing of minute order <a href="#">93</a> . Paper copies of minute entries <a href="#">93</a> and <a href="#">94</a> will be mailed to all parties. Mailed notice. (kw, ) (Entered: 05/23/2008)
06/03/2008	<a href="#">97</a>	MOTION by Movant Leo Stoller to Suspend; Notice.( Exhibits)(Poor Quality Original - Paper Document on File)(vcf, ) (Entered: 06/09/2008)
06/04/2008	<a href="#">96</a>	LETTER from the Seventh Circuit returning the record on appeal in USCA no. 07-1569, 07-1612, 07-1651 consisting of one volume of pleadings, two volumes of loose pleadings and four volumes of transcripts. (kjc, ) (Entered: 06/06/2008)
06/18/2008	<a href="#">98</a>	MINUTE entry before the Honorable Virginia M. Kendall: Mr. Stoller is advised that all motions shall be presented to the court pursuant to Local Rule 5.3(a and b). Failure to comply with this rule may result in the striking of the motion. A copy of Local Rule 5.3 (a and b) was mailed to Mr. Stoller along with a copy of this order by the court's clerk.Mailed notice (jms, ) (Entered: 06/18/2008)
06/25/2008	<a href="#">99</a>	MOTION by Movant Leo Stoller to suspend. (vcf, ) (Entered: 06/26/2008)
06/25/2008	<a href="#">100</a>	NOTICE of Motion by Leo Stoller for presentment of motion to suspend <a href="#">99</a> before Honorable Virginia M. Kendall on 6/30/2007 at 09:00 AM. (vcf, ) (Entered: 06/26/2008)
06/30/2008	<a href="#">101</a>	MINUTE entry before the Honorable Virginia M. Kendall:Motion hearing held. Plaintiff's motion to suspend <a href="#">99</a> is entered and continued pending ruling on the pending motion.Advised in open court (jms, ) (Entered: 06/30/2008)
06/30/2008	<a href="#">102</a>	RESPONSE by Plaintiff Google Inc to motion to intervene <a href="#">16</a> (Attachments: # <a href="#">1</a> Declaration Michael T. Zeller, # <a href="#">2</a> Exhibit 1, # <a href="#">3</a> Exhibit 2, # <a href="#">4</a> Exhibit 3) (Cyrluk, Jonathan) (Entered: 06/30/2008)

07/11/2008	<a href="#">103</a>	MOTION by Movant Leo Stoller to file reply instanter. (Attachments: # <a href="#">1</a> Response)(vcf, ) (Entered: 07/14/2008)
07/11/2008	<a href="#">104</a>	NOTICE of Motion by Leo Stoller for presentment of motion to file reply instanter <a href="#">103</a> before Honorable Virginia M. Kendall on 7/17/2008 at 09:00 AM. (vcf, ) (Entered: 07/14/2008)
07/14/2008	<a href="#">105</a>	MINUTE entry before the Honorable Virginia M. Kendall:Mr. Stoller's motion to file reply instanter <a href="#">103</a> is granted. Mailed notice (jms, ) (Entered: 07/14/2008)
07/14/2008	<a href="#">106</a>	REPLY by Leo Stoller to Google's response to supplement to motion to intervene <a href="#">16</a> . (vcf, ) (Entered: 07/15/2008)
01/30/2009		(Court only) ***Motions terminated: MOTION by Plaintiff Leo Stolla to intervene <a href="#">16</a> see order dated 3-12-07 [#37] (jms, ) (Entered: 01/30/2009)
03/31/2009	<a href="#">107</a>	MINUTE entry before the Honorable Virginia M. Kendall:Stollers Motion to Suspend [97, <a href="#">99</a> is denied without prejudice. For further details see attached minute order.Mailed notice (tlp, ) (Entered: 03/31/2009)
06/30/2009	<a href="#">108</a>	MINUTE entry before the Honorable Virginia M. Kendall:Movant Stollers motion to suspend is denied without prejudice. Movant Stoller may refile the motion if this Court allows him to intervene on remand.Mailed notice (jms, ) (Entered: 06/30/2009)
08/17/2009	<a href="#">109</a>	MINUTE entry before the Honorable Virginia M. Kendall: Stollers motion to Iniervene is denied. The parties are directed to submit position papers regarding the extent to which Stollers corporations are subject to suit and when this case arose and as such the propriety of the involvement of the bankruptcy estate. The parties must submit such position papers by 9/9/2009.Mailed notice (jms, ) (Entered: 08/17/2009)
08/17/2009	<a href="#">110</a>	MEMORANDUM Opinion and Order Signed by the Honorable Virginia M. Kendall on 8/17/2009:Mailed notice(jms, ) (Entered: 08/17/2009)
08/24/2009	<a href="#">111</a>	MOTION by Movant Leo Stoller for reconsideration regarding its opinion dated August 17, 2009 <a href="#">109</a> (Exhibit) (hp, ) (Entered: 08/24/2009)
08/24/2009	<a href="#">112</a>	NOTICE of Motion by Leo Stoller for presentment of motion for reconsideration <a href="#">111</a> before Honorable Virginia M. Kendall on 8/27/2009 at 09:00 AM. (hp, ) (Entered: 08/24/2009)
08/25/2009	<a href="#">113</a>	MINUTE entry before the Honorable Virginia M. Kendall:Mr. Stoller's motion for reconsideration <a href="#">111</a> is taken under advisement. Response is to be filed by 9/9/2009. Reply is to be filed by 9/16/2009. Mr. Stoller's motion for an extension of time to file his position brief pursuant to this court's order of 8/17/2009 <a href="#">111</a> is granted in part. The parties are given to 9/30/2009 to file their position briefs on the extent to which Stollers corporations are subject to suit and when this case arose and as such the propriety of the involvement of the bankruptcy estate. Mailed notice (jms, ) (Entered: 08/25/2009)
08/25/2009		(Court only) ***Deadline terminated. (hp, ) (Entered: 08/26/2009)

09/09/2009	<a href="#">114</a>	RESPONSE by Google Incin Opposition to MOTION by Movant Leo Stoller for reconsideration regarding terminate motions, <a href="#">109</a> <a href="#">111</a> <i>Google Inc.'s Response to Motion for Reconsideration</i> (Zeller, Michael) (Entered: 09/09/2009)
09/09/2009	<a href="#">115</a>	AFFIDAVIT by Plaintiff Google Inc in Opposition to MOTION by Movant Leo Stoller for reconsideration regarding terminate motions, <a href="#">109</a> <a href="#">111</a> <i>Declaration of Michael T. Zeller In Support of Google's Response to Motion for Reconsideration</i> (Attachments: # <a href="#">1</a> Exhibit Exhibit 1)(Zeller, Michael) (Entered: 09/09/2009)
09/14/2009	<a href="#">116</a>	REPLY by Leo Stoller to Google's response to motion for reconsideration <a href="#">114</a> (Exhibits); Notice. (smm) (Entered: 09/16/2009)
09/14/2009	<a href="#">117</a>	EXHIBIT C by Movant Leo Stoller regarding reply to Google's response to motion for reconsideration <a href="#">116</a> , (Attachment(s): #(1) Continuation of Exhibit C) <a href="#">114</a> . (smm) Modified on 9/16/2009 (smm). (Entered: 09/16/2009)
09/14/2009	<a href="#">118</a>	EXHIBIT D by Movant Leo Stoller regarding reply to Google's response to motion for reconsideration <a href="#">116</a> , <a href="#">114</a> . (smm) (Entered: 09/16/2009)
09/14/2009	<a href="#">119</a>	EXHIBIT E by Movant Leo Stoller regarding reply to Google's response to motion for reconsideration <a href="#">116</a> , <a href="#">114</a> (Attachments: #(1) Continuation of Exhibit E).( Poor Quality Original - Paper Document on File.)(smm) (Entered: 09/16/2009)
09/14/2009	<a href="#">120</a>	EXHIBIT F by Movant Leo Stoller regarding reply to Google's response to motion for reconsideration <a href="#">116</a> , <a href="#">114</a> .( Poor Quality Original - Paper Document on File.) (smm) (Entered: 09/16/2009)
09/30/2009	<a href="#">121</a>	MEMORANDUM by Google Inc (Cyrluk, Jonathan) (Entered: 09/30/2009)
09/30/2009	<a href="#">122</a>	DECLARATION of Michael T. Zeller regarding memorandum <a href="#">121</a> (Attachments: # <a href="#">1</a> Exhibit 1-19)(Cyrluk, Jonathan) (Entered: 09/30/2009)
09/30/2009	<a href="#">123</a>	MOTION by Plaintiff Google Inc for judgment <i>and entry of stipulated permanent injunction</i> (Cyrluk, Jonathan) (Entered: 09/30/2009)
09/30/2009	<a href="#">124</a>	DECLARATION of Michael T. Zeller regarding motion for judgment <a href="#">123</a> <i>and entry of stipulated permanent injunction</i> (Attachments: # <a href="#">1</a> Exhibit 1-7, # <a href="#">2</a> Exhibit 8-17, # <a href="#">3</a> Exhibit 18-26)(Cyrluk, Jonathan) (Entered: 09/30/2009)
09/30/2009	<a href="#">125</a>	NOTICE of Motion by Jonathan M. Cyrluk for presentment of motion for judgment <a href="#">123</a> before Honorable Virginia M. Kendall on 10/13/2009 at 09:00 AM. (Cyrluk, Jonathan) (Entered: 09/30/2009)
09/30/2009	<a href="#">126</a>	CERTIFICATE of Service of <i>permanent injunction</i> by Jonathan M. Cyrluk on behalf of Google Inc (Cyrluk, Jonathan) (Entered: 09/30/2009)
09/30/2009	<a href="#">128</a>	POSITION brief by Leo Stoller;Notice. # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 1 contd) (vcf, ). ( Poor Quality Original - Paper Document on File.) (Entered: 10/02/2009)
09/30/2009	<a href="#">129</a>	POSITION brief by Leo Stoller (Attachments: # <a href="#">1</a> Exhibit 5-7, # <a href="#">2</a> Exhibit 7-8). ( Poor Quality Original - Paper Document on File.)(vcf, ) (Entered: 10/02/2009)

		10/02/2009)
10/01/2009	<a href="#">127</a>	CERTIFIED copy of order dated 6/16/2009 from the USCA regarding notice of appeal <a href="#">39</a> ; Appellate case no. : 07-1569, 07-1612 and 07-1651. The following is before the court: Notice of Sanction Payment, filed on June 3, 2008, by the pro se appellant. It is ordered that the court's order dated August 23,2007, imposing a filing bar in accordance with Mack, is Rescinded. Leo Stoller has paid the underlying sanction in full. The clerk of this court shall send a copy of this order to the clerks of all federal courts in this circuit. (vcf, ) (Entered: 10/02/2009)
10/02/2009	<a href="#">130</a>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 07520000000004155494. (Cyrluk, Jonathan) (Entered: 10/02/2009)
10/06/2009	<a href="#">131</a>	MINUTE entry before the Honorable Virginia M. Kendall:Motion by Jonathan Cyrluk to file the appearance of Lance Johnson as appear pro hac vice <a href="#">130</a> is granted. Mailed notice (jms, ) (Entered: 10/06/2009)
10/07/2009	<a href="#">132</a>	RESPONSE by Leo Stoller to MOTION Google Inc for judgment <i>and entry of stipulated permanent injunction</i> <a href="#">123</a> ;Notice. (vcf, ) (Entered: 10/09/2009)
10/13/2009	<a href="#">133</a>	MINUTE entry before the Honorable Virginia M. Kendall:Motion hearing held regarding motion for judgment <a href="#">123</a> . Court will issue an order shortly. Advised in opn court (jms, ) (Entered: 10/16/2009)
10/16/2009	<a href="#">134</a>	MINUTE entry before the Honorable Virginia M. Kendall:Stollers motion for reconsideration <a href="#">111</a> is denied.Mailed notice (jms, ) (Entered: 10/16/2009)
10/16/2009	<a href="#">135</a>	MINUTE entry before the Honorable Virginia M. Kendall:Enter Permanent Injunction and Final judgment. Civil case terminated. Mailed notice (jms, ) (Entered: 10/16/2009)
10/16/2009	<a href="#">136</a>	PERMANENT INJUNCTION Signed by the Honorable Virginia M. Kendall on 10/16/2009:Mailed notice(jms, ) (Entered: 10/16/2009)
10/19/2009	<a href="#">137</a>	NOTICE of appeal by Leo Stoller regarding orders <a href="#">136</a> , <a href="#">135</a> , <a href="#">134</a> (ifp) (dj, ) (Entered: 10/20/2009)
10/19/2009	<a href="#">138</a>	DESIGNATION by Leo Stoller of content of record on appeal. (dj, ) (Entered: 10/20/2009)
10/19/2009	<a href="#">139</a>	NOTICE of granting in forma pauperis petition by Leo Stoller. (dj, ) (Entered: 10/20/2009)
10/20/2009	<a href="#">140</a>	NOTICE of Appeal Due letter sent to counsel of record (dj, ) (Entered: 10/20/2009)