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11 UNITED STATES DISTRICT COURT  
 12 CENTRAL DISTRICT OF CALIFORNIA

13 PERFECT 10, INC., a California  
 corporation,  
 14  
 Plaintiff,  
 15  
 vs.  
 16 GOOGLE INC., a corporation; and  
 17 DOES 1 through 100, inclusive,  
 18 Defendants.

CASE NO. CV 04-9484 AHM (SHx)  
 [Consolidated with Case No. CV 05-  
 4753 AHM (SHx)]

**GOOGLE INC.'S STATEMENT  
 REGARDING THE COURT'S  
 MINUTE ORDER REGARDING  
 THE STATUS CONFERENCE OF  
 OCTOBER 6, 2008**

Hon. A. Howard Matz

19 AND COUNTERCLAIM

20 PERFECT 10, INC., a California  
 21 corporation,  
 22 Plaintiff,  
 23 vs.  
 24 AMAZON.COM, INC., a corporation;  
 A9.COM, INC., a corporation; and  
 25 DOES 1 through 100, inclusive,  
 26 Defendants.

1 Defendant Google Inc. ("Google") respectfully submits this Statement  
2 regarding the Court's Minute Order regarding the Status Conference of October 6,  
3 2008 (attached hereto as Exhibit A). In that Minute Order, the Court indicated that  
4 Michael Zeller, counsel for Google in Perfect 10, Inc. v. Google Inc., No. 04-cv-  
5 9484 AHM (SHx), is to meet and confer with Jeffrey Mausner, counsel for plaintiff  
6 Perfect 10 in that and related actions.

7 Google's understanding of the Court's directive from the bench at the Status  
8 Conference, however, is that Mr. Mausner was ordered to meet and confer with  
9 Andrew Bridges, counsel for Microsoft Corporation in Perfect 10, Inc. v. Microsoft  
10 Corporation, No. 07-cv-5156, rather than with Mr. Zeller. Relevant portions of the  
11 Transcript on which Google's understanding is based are attached as Exhibit B.

12 Google apologizes for having to raise this matter with the Court, but Google  
13 takes its responsibilities under this Court's Orders seriously and wants to ensure that  
14 there is no misunderstanding of its obligations on its part. Google is informed that  
15 counsel for Microsoft, Amazon.com, Inc., Alexa Internet and A9.com all share  
16 Google's understanding that Mr. Mausner was ordered to meet and confer with Mr.  
17 Bridges, and not Mr. Zeller. Google asked Perfect 10 in writing to confirm that it  
18 has the same understanding, but Google did not receive the courtesy of a response  
19 from Perfect 10.

20  
21 DATED: October 31, 2008

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

22  
23 By /s/ Michael T. Zeller  
24 Michael T. Zeller  
25 Attorneys for Defendant Google Inc.