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 7 Communications Corporation

8 UNITED STATES DISTRICT COURT  
 9 CENTRAL DISTRICT OF CALIFORNIA  
 10 SANTA ANA DIVISION

11 MARK MISHAK, dba INEEDATV.COM,  
 12 Plaintiff,  
 13 vs.  
 14 GOOGLE, INC., *et al.*,  
 15 Defendants.

Case No. CV07-8258 CAS (JCRx)

**JOINDER OF DEFENDANTS AOL  
 LLC AND NETSCAPE  
 COMMUNICATIONS  
 CORPORATION IN MOTION FOR  
 RULE 11 SANCTIONS**

Date: March 31, 2008  
 Time: 10:00 a.m.

Compl. Filed: December 20, 2007  
 Trial Date: None

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1 TO ALL PARTIES AND THEIR COUNSEL OF RECORD;

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3 PLEASE TAKE NOTICE that defendants AOL LLC ("AOL") and  
4 Netscape Communications Corporation ("Netscape") hereby join defendants Google  
5 Inc. ("Google"), IAC Search & Media, Inc. ("Ask"), Lycos, Inc. ("Lycos"), and  
6 EarthLink, Inc.'s ("EarthLink") Motion For Rule 11 Sanctions ("Motion for  
7 Sanctions"), and all related papers, currently scheduled for hearing on March 31,  
8 2008, at 10:00 a.m. in the above-captioned Court, located at 312 N. Spring Street, Los  
9 Angeles, CA 90012.

10  
11 The grounds and factual circumstances set forth by Google, Ask, Lycos,  
12 and EarthLink's Motion for Sanctions are equally applicable to AOL and Netscape.

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14 This joinder is further based all papers and records on file in this action,  
15 and upon such oral and documentary evidence as may be presented to the Court at the  
16 hearing on this matter. AOL and Netscape expressly reserve any and all rights,  
17 objections and defenses and do not waive any of their rights by filing this joinder.

18 DATED: March 7, 2008.

19 REED SMITH LLP

20  
21 By Kristen Peters  
22 Mark D. Litvack (SBN 183652)  
23 Kristen M. Peters (SBN 252296)  
24 Attorneys for Defendants  
25 AOL LLC and Netscape Communications  
26 Corporation

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DOCSLA-15631102.1

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**PROOF OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is **REED SMITH LLP, 355 S. Grand Ave., Suite 2900, Los Angeles, CA 90071**. On March 7, 2008, I served the following document(s) by the method indicated below:

**JOINDER OF DEFENDANTS AOL LLC AND NETSCAPE COMMUNICATIONS CORPORATION IN MOTION FOR RULE 11 SANCTIONS**

by transmitting via facsimile on this date from fax number 310.734.5299 the document(s) listed above to the fax number(s) set forth below. The transmission was completed before 5:00 p.m. and was reported complete and without error. The transmission report, which is attached to this proof of service, was properly issued by the transmitting fax machine. Service by fax was made by agreement of the parties, confirmed in writing. The transmitting fax machine complies with Cal.R.Ct 2003(3).

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in this Declaration.

by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

by placing the document(s) listed above in a sealed envelope(s) and consigning it to an express mail service for guaranteed delivery on the next business day following the date of consignment to the address(es) set forth below. A copy of the consignment slip is attached to this proof of service.

**Roger James Agajanian, Esq.**  
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**Brooks R Brown, Esq.**  
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Attorneys for Defendants, Lycos, Inc.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on March 7, 2008, at Los Angeles, California.

  
\_\_\_\_\_  
Elsa Lanz

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