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5 Attorney for Defendant  
 6 SubscriberBASE, Inc.

7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

11 HYPERTOUCHE, INC.,  
 12 Plaintiff,  
 13 vs.

15 AZOOGLE. COM, INC., *et al.*,  
 16 Defendants.

) No. CV-08-04970 MMC

) **NOTICE OF SUBSTITUTION OF COUNSEL**  
 ) **FOR DEFENDANT SUBSCRIBERBASE, INC.**

) [~~Proposed~~] **ORDER**

17  
 18 TO THE COURT AND ALL PARTIES AND COUNSEL OF RECORD:

19 PLEASE TAKE NOTICE that defendant SubscriberBASE, Inc. hereby requests the Court  
 20 approve the immediate substitution of Bennet G. Kelley, Esq., Internet Law Center, as attorney of record  
 21 in place of James V. Weixel, Jr., Esq., Weixel Law Office.

22 Dated: May 20, 2009. SubscriberBASE, Inc.

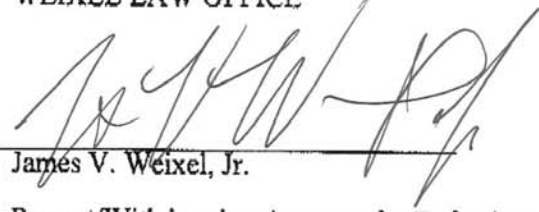
24 By:   
 25 James Epstein, COO

26 ///  
 27 ///  
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1 I have given proper notice pursuant to Local Rule 11-5 and further consent to the above  
2 substitution.

3 Dated: May 27, 2009.

WEIXEL LAW OFFICE

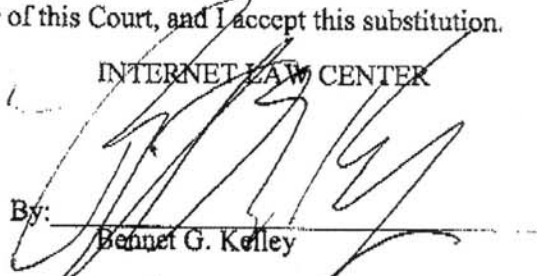
4  
5  
6 By:   
James V. Weixel, Jr.

7 Present/Withdrawing Attorney for Defendant  
8 SubscriberBASE, Inc.

9 I am duly admitted to the bar of this Court, and I accept this substitution.

10 Dated: May 28, 2009.

INTERNET LAW CENTER

11  
12  
13 By:   
14 Bennet G. Kelley

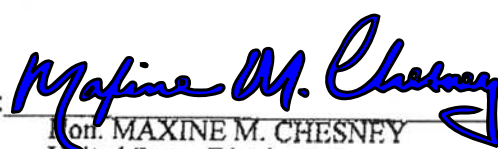
15 Newly Appearing Attorney for Defendant  
16 SubscriberBASE, Inc.

17 **ORDER**

18 Pursuant to Local Rule 11-5, the substitution of counsel is approved. Bennet G. Kelley, Esq.,  
19 Internet Law Center, is entered as counsel of record for defendant SubscriberBASE, Inc., and James V.  
20 Weixel, Jr., Esq., Weixel Law Office, is withdrawn as counsel of record for said defendant.

21 This substitution shall take effect immediately. The Clerk is directed to enter the same upon the  
22 record of this matter, and counsel for the parties are reminded to update their records accordingly. New  
23 and withdrawing counsel for SubscriberBASE are reminded to take appropriate steps to effect this  
24 substitution in plaintiff's appeal of this action, No. 09-15943 (9th Cir.).

25 Dated: May 28, 2009.

26  
27 By:   
28 Hon. MAXINE M. CHESNEY  
United States District Judge