

**FILED**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FEB 25 2010

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT,  
NORTHERN DISTRICT OF CALIFORNIA

SUSAN SIMON, an individual on behalf of  
herself and all other similarly situated,

Plaintiff,

v.

ADZILLA, INC. [NEW MEDIA], a Delaware  
Corporation; CONDUCTIVE  
CORPORATION, a Delaware Corporation;  
CONTINENTAL VISINET BROADBAND,  
INC., a Delaware Corporation; CORE  
COMMUNICATIONS, INC., d/b/a  
CORETEL COMMUNICATIONS, INC., a  
Delaware Corporation; and JOHN DOES 1-  
50, Corporations Defendants,,

Defendant.

Case No. 3:09-CV-00879 MMC

**MEDIATOR'S REPORT TO COURT**

Please be advised that the above styled case was mediated on February 22, 2010.

While the case did not resolve, sufficient progress was made such that the parties and their counsel have agreed to reconvene the mediation on March 19, 2010.

Please consider this an interim report, and I will file a final report upon conclusion of our process.

Respectfully submitted,



Rodney A. Max

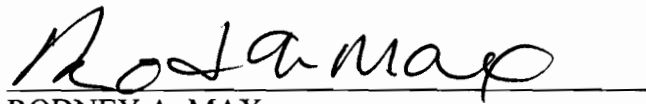
**UPCHURCH WATSON WHITE & MAX**  
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Daytona Beach, FL 32114  
800-264-2622

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via  
U.S. Mail this February 23, 2010, to the following:

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RODNEY A. MAX