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10 *Attorneys for Defendants and Nominal Defendant*  
 11 *Google Inc.*

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 OAKLAND DIVISION

16 In re GOOGLE INC. SHAREHOLDER )  
 DERIVATIVE LITIGATION )  
 17 \_\_\_\_\_ )  
 18 This Document Relates To: )  
 19 ALL ACTIONS )  
 20 )  
 21 )  
 22 \_\_\_\_\_ )

Master File No. CV-11-04248-PJH  
**STIPULATION AND [~~PROPOSED~~]**  
**ORDER REGARDING ADR**  
**CERTIFICATION AND**  
**SELECTION PROCESS**  
 DATE: N/A  
 TIME: N/A  
 JUDGE: Hon. Phyllis J. Hamilton

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1 Pursuant to Civil L.R. 16-8 and ADR L.R. 3-5, counsel report that they have met and  
2 conferred regarding ADR and have reached the following stipulation:

3 On August 29, 2011, three shareholder derivative actions were filed purportedly on  
4 behalf of Google Inc. ("Google"). The parties subsequently filed a Stipulation and [Proposed]  
5 Order Consolidating Actions and Appointing Lead Counsel, which was entered by the Court on  
6 September 19, 2011 ("September 19, 2011 Order"). Pursuant to the schedule set in the  
7 September 19, 2011 Order, plaintiffs' Consolidated Amended Complaint is due to be filed on  
8 October 24, 2011. Defendants intend to file motions to dismiss asserting, among other things,  
9 that plaintiffs lack standing to pursue this action. In light of the current procedural posture, the  
10 parties respectfully believe that the ADR certification and selection process is premature at this  
11 time, particularly given that the operative complaint has not yet been filed and the exact  
12 identities of the parties is not yet known. The parties agree that private mediation at some point  
13 during the course of this litigation may be appropriate if the Court finds that plaintiffs have  
14 standing and that the yet to be filed operative complaint states a claim.

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16 Dated: October 18, 2011

Respectfully submitted,

17 WILSON SONSINI GOODRICH & ROSATI  
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21 By: /s/ Elizabeth C. Peterson  
Elizabeth C. Peterson

22 Attorneys for Defendants and Nominal  
23 Defendant Google Inc.

1 Dated: October 18, 2011

Respectfully submitted,

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By: /s/ Travis E. Downs III  
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Lead Attorneys for Plaintiffs

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26 *I, Elizabeth C. Peterson, am the ECF user whose ID and password are being used to file this*  
27 *STIPULATION AND [PROPOSED] ORDER REGARDING ADR CERTIFICATION AND*  
*SELECTION PROCESS. In compliance with General Order 45, X.B., I hereby attest that Travis*  
28 *E. Downs III has concurred in this filing.*

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**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 10/25/11

\_\_\_\_\_  
THE HONORABLE PHYLLIS J. HAMILTON  
UNITED STATES DISTRICT JUDGE

