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July 12, 2006

VIA FACSIMILE

Klaus Hamm
Keker & Van Nest LLP
710 Sansome Street
San Francisco, CA 94111

Re: Google Inc v. American Blind and Wallpaper Factory, Inc.

Dear Klaus:

As I mentioned in my last correspondence, American Blind will be filing a motion to allow for the issuance of additional discovery and to compel Google's responses to the discovery already issued during the extension of fact discovery. We are seeking to have the motion heard and briefed on shortened time, given that discovery would close within a week of the hearing if we were to have it heard on a regular schedule. As this is not strictly a motion to compel, but rather seeks leave to file discovery, we do not believe that the time period addressed in L.R. 26-2 applies. We propose the following shortened schedule:

- The opposition brief will be filed no later than July 26, 2006
- The reply brief will be filed no later than August 2, 2006
- The hearing will be held on Wednesday, August 9, 2006 at 9:30 a.m., so that it may be addressed at the same time as American Blind's Motion to Compel is currently set.

Please let me know by noon tomorrow (PST) if you agree to this shortened schedule.

KELLEY DRYE & WARREN LLP

Klaus Hamm
July 12, 2006
Page Two

Sincerely,

A handwritten signature in cursive script, appearing to read "Caroline C. Plater".

Caroline C. Plater

CCP:ccp

cc: Ajay S. Krishnan

Plater, Caroline C.

From: Plater, Caroline C.
Sent: Wednesday, July 12, 2006 2:44 PM
To: 'Klaus Hamm'
Cc: Michael Page
Subject: RE: Joe Charno Deposition

Thank you.

The motion will be filed on Thursday. I think you misread my letter -- I stated that "American Blind will be filing a motion to allow for the issuance of additional discovery and to compel Google's responses to the discovery already issued during the extension of fact discovery." We have no intention of withdrawing our previously served discovery. I only mentioned that it is not "strictly" a motion to compel in so far as L.R. 26-2 would not be applied to the scheduling of this motion, as Judge Seeborg did with your prior motion. Because we are seeking an order that allows for the issuance of new discovery and you don't consider our previously issued discovery as properly issued, I don't take this to be the type of motion to discussed in L.R. 26-2.

-----Original Message-----

From: Klaus Hamm [mailto:KHamm@kvn.com]
Sent: Wednesday, July 12, 2006 2:32 PM
To: Plater, Caroline C.
Cc: Michael Page
Subject: RE: Joe Charno Deposition

Confirmed. Also, I have your letter from this morning with a proposed brief scheduling. But you don't say when you intend to file the brief. Please let me know. Also, you say the motion will be a motion for leave to file discovery rather than a motion to compel it. Does that me you withdraw your previously served RFAs and deposition notices?

From: Plater, Caroline C. [mailto:CPlater@KelleyDrye.com]
Sent: Tuesday, July 11, 2006 10:44 AM
To: Klaus Hamm
Cc: Garrity, Paul W.
Subject: Joe Charno Deposition

Klaus - Joe Charno is available for his deposition on July 21. Please let me know if this is confirmed.
Thanks, Carrie

Caroline C. Plater
Kelley Drye & Warren LLP
333 W. Wacker, Suite 2600
Chicago, IL 60606
312.857.2501 (direct)
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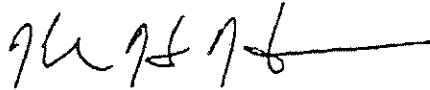
July 13, 2006

VIA FACSIMILECaroline C. Plater, Esq.
Kelley Drye & Warren LLP
333 West Wacker Drive, Suite 2600
Chicago, IL 60606
Facsimile: (312) 857-7095Re: *Google Inc. v. American Blind & Wallpaper Factory, Inc.*

Dear Carrie:

I write in response to your letter of July 12, 2006. While you state that your anticipated "motion to allow for the issuance of additional discovery and to compel Google's responses to the discovery already issued during the extension of fact discovery" is "not strictly a motion to compel," your description of the motion suggests otherwise. Moreover, except for the discovery already served that you wish to compel, we do not know what additional discovery your motion seeks since you have not met and conferred with us about it, despite Judge Fogel's order requiring you to do so. As a result, we cannot agree to your proposed schedule for your anticipated motion to compel.

Very truly yours,



Klaus H. Hamm

KHH:wik