

AO 440 (Rev. 10/93) Summons in a Civil Action

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAGOOGLE INC., a Delaware corporation,
Plaintiff,

SUMMONS IN A CIVIL CASE

CASE NUMBER: C 03-5340 JF

V.

AMERICAN BLIND & WALLPAPER
FACTORY, INC., et al.SEE ATTACHED CAPTION PAGE
TO:Earthlink, Inc.
1375 Peachtree Street 7 North
Atlanta, GA 30309**YOU ARE HEREBY SUMMONED** and required to serve upon ^{COUNTER-} PLAINTIFF'S ATTORNEYDavid A. Rammelt
Susan J. Greenspon
Dawn M. Beery
KELLEY DRYE & WARREN LLP
333 West Wacker Drive, Suite 2600
Chicago, IL 60606
Telephone: (312) 857-7070; Facsimile: (312) 857-7095

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

RICHARD W. WIEKING

CLERK

MAY 04 2004

DATE

DIANE MIYASHIRO

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action

RETURN OF SERVICE

DATE

May 7, 2004

Service of the Summons and Complaint was made by me¹

Name of SERVER (PRINT)

Paula Orr

TITLE

Legal Assistant to David A. Rammelt

Check one box below to indicate appropriate method of service

☐ Served Personally upon the Defendant. Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left

☐ Returned unexecuted:

☒ Other (specify): Service was accepted on behalf of Third-Party Defendants Ask Jeeves, Inc. and Earthlink, Inc. by Michael H. Page, Esq., Keker & Van Nest, 710 Sansome Street, San Francisco, California

STATEMENT OF SERVICE FEES

TRAVEL

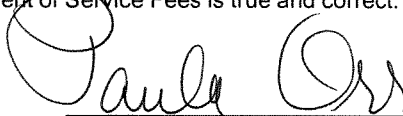
SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on May 7, 2004
Date



Signature of Server

Kelley Drye & Warren LLP

Address of Server

333 West Wacker Drive
26th Floor
Chicago, Illinois 60606

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

Robert N. Phillips (SBN 120970)
Ethan B. Andelman (SBN 209101)
HOWREY SIMON ARNOLD & WHITE
525 Market Street, Suite 3600
San Francisco, CA 94105
T: (415) 848-4900
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David A. Rammelt (Admitted *Pro Hac Vice*)
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Attorneys for Defendant/Counter-Plaintiff
AMERICAN BLIND AND WALLPAPER
FACTORY, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GOOGLE INC., a Delaware
corporation,

Plaintiff,

v.

AMERICAN BLIND &
WALLPAPER FACTORY, INC., a
Delaware corporation d/b/a
decoratetoday.com, Inc., and DOES
1-100, INCLUSIVE,

Defendant.

CASE NO. C 03-5340 JF

AMERICAN BLIND &
WALLPAPER FACTORY, INC., a
Delaware corporation d/b/a
decoratetoday.com, Inc.,

Counter-Plaintiff,

v.

GOOGLE, INC., AMERICA
ONLINE, INC., NETSCAPE
COMMUNICATIONS

1 CORPORATION, COMPUSERVE
2 INTERACTIVE SERVICES, INC.,
3 ASK JEEVES, INC., and
4 EARTHLINK, INC.

5 Counter-Defendants/
6 Third-Party Defendants.
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