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 16 American Blind & Wallpaper Factory, Inc.

17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA

19 GOOGLE INC., a Delaware corporation,
 20
 21 Plaintiff,
 22
 23 v.

Case No. C 03-5340-JF (RS)

**STIPULATION OF DISMISSAL OF
 ACTION WITH PREJUDICE;
 [PROPOSED] ORDER**

24 AMERICAN BLIND & WALLPAPER
 25 FACTORY, INC., a Delaware corporation
 26 d/b/a decoratetoday.com, Inc., and DOES 1-
 27 100, inclusive,
 28 Defendants.

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

Counter-Plaintiff,

v.

GOOGLE INC.,

Counter-Defendant.

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STIPULATION

Plaintiff and Counter-Defendant Google Inc. and Defendant and Counter-Plaintiff American Blind & Wallpaper Factory, Inc. ("ABWF") hereby stipulate as follows:

1. The parties agree that all of ABWF's claims against Google will be dismissed with prejudice.

2. In light of the foregoing dismissal with prejudice and other factual developments, the parties agree that Google's claims are moot, and therefore stipulate to their dismissal as moot.

3. The parties further agree that each of them shall bear its own attorneys' fees and costs in this litigation.

IT IS SO STIPULATED.

Dated: August 31, 2007

KELLEY DRYE & WARREN LLP

By: _____

DAVID A. RAMMELT
Attorneys for Defendant and Counter-Plaintiff AMERICAN
BLIND & WALLPAPER FACTORY, INC.

Dated: August 31, 2007

KEKER & VAN NEST, LLP

By: _____

MICHAEL H. PAGE
Attorneys for Plaintiff and Counter-Defendant GOOGLE INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:

Honorable Jeremy Fogel
United States District Court