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 GOOGLE INC. and Third-Party Defendants
 ASK JEEVES, INC. and EARTHLINK, INC.
 7

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
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11 GOOGLE INC., a Delaware corporation,
 12
 Plaintiff,
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14 v.

15 AMERICAN BLIND & WALLPAPER
 FACTORY, INC., a Delaware corporation
 d/b/a decoratetoday.com, Inc.; and DOES 1-
 16 100, inclusive,
 17
 Defendants.

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

**STIPULATION AND ORDER SETTING
 HEARING ON MOTION TO DISMISS
 AND EXTENDING TIME FOR CASE
 MANAGEMENT CONFERENCE**

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

20 Counterclaimant,

21 v.

22 GOOGLE, INC., AMERICA ONLINE, INC.,
 NETSCAPE COMMUNICATIONS
 23 CORPORATION, COMPUSERVE
 INTERACTIVE SERVICES, INC., ASK
 24 JEEVES, INC., and EARTHLINK, INC.,

25 Counter-Defendants/
 26 Third-Party Defendants.
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The parties, through their counsel, hereby agree and stipulate as follows:

- WHEREAS on May 4, 2004, defendant American Blind & Wallpaper Factory, Inc. (“American Blind”) filed its Answer, Affirmative Defenses, Counterclaims and Third-Party Claims;
- WHEREAS on May 21, 2004 the parties stipulated, and on May 24, 2004, the Court ordered, that the time for Google Inc., America Online, Inc., Netscape Communications Corporation, Compuserve Interactive Services, Inc., Ask Jeeves, Inc. and Earthlink, Inc. to answer or otherwise respond to American Blind’s counterclaims and third-party claims would be extended to June 23, 2004;
- WHEREAS the counterdefendant and third-party defendants intend to file a motion to dismiss some or all of American Blind’s counterclaims and third-party claims on that date;
- WHEREAS the contemplated motion(s) to dismiss may narrow and/or clarify the issues in dispute in this litigation;
- **IT IS HEREBY AGREED AND STIPULATED TO BY AND AMONG THE PARTIES THAT:**
 - The motion(s) to dismiss shall be heard on September 17, 2004 at 9:00 a.m.;
 - The case management conference currently scheduled for June 21, 2004 shall be vacated and rescheduled for September 17, 2004, and shall be conducted immediately following the hearing on the motion(s) to dismiss;
 - The parties shall file a joint case management statement by September 3, 2004;
 - No additional discovery requests may be served by any party until three weeks after the Court issues a ruling on the motion(s) to dismiss;
 - Any discovery already served in this litigation shall be deemed withdrawn until three weeks after the Court issues a ruling on the motion(s) to dismiss; and,

