



1 Pursuant to Local Rule 7-3(d), Defendant and Counterclaimant American Blind &  
2 Wallpaper Factory, Inc. ("American Blind") gives notice to the Court that, after American Blind's  
3 opposition to the pending motion to dismiss was filed in this Court on August 10, 2004, Judge  
4 Leonie Brinkema, in *Gov't Employees Ins. Co. v. Google Inc.*, Civil Action No. 1:04cv507 (E.D.  
5 Va.) denied Google's motion to dismiss and Google's motion for summary judgment in that case.  
6 American Blind attaches as Exhibit A Judge Brinkema's August 25, 2004 memorandum opinion  
7 denying Google's motion to dismiss. American Blind attaches as Exhibit B the November 19,  
8 2004 Order of Judge Brinkema denying Google's motion for summary judgment; a transcript of  
9 the November 19, 2004 proceedings in which Judge Brinkema explains her decision on the  
10 motion for summary judgment is attached as Exhibit C.

11 Dated: December 22, 2004

HOWREY SIMON ARNOLD & WHITE

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13  
14 By: /s/ Robert N. Phillips

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