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1 TO PLAINTIFF AND ITS COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that on April 5, 2004, at 9:00 a.m., in Courtroom 3 of the
3 above-captioned court, Defendant American Blind and Wallpaper Factory, Inc. will and hereby
4 does move to dismiss, or alternatively, to stay, Plaintiff Google's Complaint because it is an
5 improper anticipatory filing and because the declaratory relief sought by Google is inappropriate.

6 The motion will be based on this Re-Notice of Motion, the Memorandum of Points and
7 Authorities previously filed by Defendant American Blind and Wallpaper Factory, Inc. on
8 January 28, 2004, the pleadings and papers on file in this action, the arguments of counsel, and
9 upon such other evidence as may be presented at the hearing on this matter.

10 Dated: January 30, 2004

HOWREY SIMON ARNOLD & WHITE, LLP

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By: /s/ Robert N. Phillips
ROBERT N. PHILLIPS

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Attorneys for Defendant
AMERICAN BLIND AND WALLPAPER
FACTORY, INC.

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