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9 Attorneys for Defendant/Counter-Plaintiff
 10 AMERICAN BLIND AND WALLPAPER
 11 FACTORY, INC.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 GOOGLE INC., a Delaware corporation,

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

15 Plaintiff,

**KELLEY DRYE & WARREN LLP'S
 ADMINISTRATIVE MOTION TO
 WITHDRAW AS COUNSEL FOR
 AMERICAN BLIND & WALLPAPER
 FACTORY, INC. WITH RESPECT TO
 THE THIRD-PARTY DEFENDANTS**

16 v.

17 AMERICAN BLIND & WALLPAPER
 18 FACTORY, INC., a Delaware corporation
 19 d/b/a decoratetoday.com, Inc.; and DOES 1-
 20 100, inclusive,

21 Defendants.

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

25 Counter-Plaintiff,

26 v.

27 GOOGLE, INC., AMERICA ONLINE, INC.,
 28 NETSCAPE COMMUNICATIONS
 CORPORATION, COMPUSERVE
 INTERACTIVE SERVICES, INC., ASK
 JEEVES, INC., and EARTHLINK, INC.

Counter-Defendants/
 Third-Party Defendants

Pursuant to Rule 11-5 and 7-11 of the Northern District of California Civil Local Rules, Kelley Drye & Warren LLP (“Kelley Drye”), counsel for Defendant/Counter-Plaintiff American Blind & Wallpaper Factory, Inc. (“American Blind”), seeks an order of the Court permitting Kelley Drye to withdraw from its representation of American Blind with respect to the

1 Third-Party Defendants. In support thereof, Kelley Drye states as follows:

2 Kelley Drye is in the process of merging with the law firm of Collier Shannon
3 Scott, PLLC (“Collier Shannon”). (Declaration of Susan J. Greenspon (the “Greenspon
4 Declaration”), filed concurrently with this Motion, at ¶ 2.) America Online, Inc. (“AOL”) is a
5 client of Collier Shannon. (Greenspon Declaration at ¶ 3.) As a result, Kelley Drye can no
6 longer represent American Blind & Wallpaper Factory, Inc. (“American Blind”) with respect to
7 its Third-Party Claims against AOL. Accordingly, Kelley Drye is withdrawing as counsel for
8 American Blind with regard to the prosecution of all of the Third-Party Claims. Kelley Drye will
9 continue to represent American Blind with respect to its claims against Google.

10 Howrey LLP (“Howrey”) will remain as counsel for American Blind as to all
11 aspects of this litigation, including the prosecution of the Third-Party Claims. Going forward, the
12 Kelley Drye lawyers will, of course, not discuss the prosecution of the Third-Party Claims with
13 the Howrey lawyers. (Greenspon Declaration at ¶ 7.) The Howrey lawyers are aware and
14 understand that they should not discuss the prosecution of the Third-Party Claims with the Kelley
15 Drye lawyers. (Greenspon Declaration at ¶ 7.)

16 American Blind has been informed of Kelley Drye’s conflict and its intention to
17 seek to withdraw its representation of American Blind with respect to the Third-Party Defendants.
18 (Greenspon Declaration at ¶ 8.) American Blind has approved this withdrawal with respect to
19 the Third-Party Defendants. *Id.*

20 Accordingly, Kelley Drye requests that the Court enter an Order, in a form
21 substantially similar to the Proposed Order attached hereto, permitting Kelley Drye to withdraw
22 from its representation of American Blind with respect to the Third-Party Defendants.

23 Dated: March 31, 2006

KELLEY DRYE & WARREN, LLP

24 By: /s/ Dawn M. Beery

25 David A. Rammelt
26 Susan J. Greenspon
27 Dawn M. Beery
28 KELLEY DRYE & WARREN LLP

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