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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ADVANCED INTERNET TECHNOLOGIES,)
INC., a North Carolina corporation,)
Individually and on behalf of all others)
similarly situated,)
Plaintiff,)

vs.)

GOOGLE, INC., a Delaware corporation and)
Does 1 through 100, inclusive,)
Defendants.)

Case No.: 5:05-cv-02579-RMW

E-FILING

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION FOR CLASS
CERTIFICATION**

Date: May 12, 2006

Time: 9:00 a.m.

Judge: Hon. Ronald M. Whyte

Date Complaint Filed: June 24, 2005

1 On May 12, 2006, Plaintiff Advanced Internet Technologies, Inc. (“AIT”) came before
2 this Court and moved for an Order pursuant to Rule 23 of the Federal Rules of Civil Procedure
3 certifying a plaintiff class against Defendant Google, Inc. (“Google”). Having considered the
4 submissions of the parties and the record in this case, IT IS HEREBY ORDERED as follows:

5 1. Plaintiffs motion for class certification is GRANTED as to the causes of action
6 for breach of contract and unfair business practices (under California Business & Professions
7 Code §17200, Et Seq.).

8 2. The Court certifies Plaintiffs claims on behalf of a class (the “Class”) of all
9 persons and/or entities who entered into on-line form contracts known as the “Google Inc.
10 AdWords Program Terms” for United States advertising, and paid money to Google, Inc. for
11 “clicks” on AdWords ads from June 24, 2001 to the present date.

12 3. Excluded from the Class are: Google, officers and directors of Google, members
13 of their immediate families and each of their legal representatives, heirs, successors or assigns
14 and any entity in which Google has or has had a controlling interest.

15 4. The Court appoints AIT as Class Representative.

16 5. The Court appoints Kabateck Brown Kellner LLP, Chitwood Harley Harnes LLP
17 and Law Offices of Shawn Khorrami as sole attorneys for the Class.

18 6. Attorneys for the Class shall prepare and submit within 30 days of the date of this
19 Order a proposed form of notice to be sent to members of the Class.

20 7. Google shall prepare and submit to the Court and to Class Counsel within 30 days
21 of the date of this Order a list of names and addresses of all Class members who can be identified
22 with diligent effort.
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IT IS SO ORDERED.

Dated: _____, 2006

THE HONORABLE RONALD M. WHYTE
United States District Court Judge