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 GOOGLE INC. and KAI-FU LEE

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 10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA  
 12 SAN JOSE DIVISION

13 GOOGLE INC. and KAI-FU LEE,  
 14 Plaintiffs,  
 15 v.  
 16 MICROSOFT CORPORATION,  
 17 Defendant.

Case No.: CV 05-03095 (RMW)

**[PROPOSED] ORDER GRANTING  
 MOTION BY PLAINTIFFS GOOGLE  
 INC. AND KAI-FU LEE FOR SUMMARY  
 JUDGMENT**

Date: October 14, 2005  
 Time: 9:00 a.m.  
 Place: Courtroom 6

Honorable Ronald M. Whyte

1 The motion by plaintiffs Google Inc. and Kai-Fu Lee for summary judgment in the above-  
2 captioned action (“Motion”) came on regularly for hearing before the Honorable Ronald M. Whyte on  
3 October 14, 2005, in Courtroom 6 of the San Jose Division of the above-captioned Court. All parties  
4 appeared and were represented at the hearing by and through their respective counsel of record.

5 Having considered all papers filed by the parties in favor of and in opposition to the  
6 Motion, the arguments of counsel appearing at the hearing on this matter, and all other matters deemed  
7 to be appropriate by the Court,

8 IT IS HEREBY ORDERED that the Motion by Plaintiffs Google Inc. and Kai-Fu Lee for  
9 Summary Judgment is GRANTED in its entirety.

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11  
12 DATED: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE RONALD M. WHYTE  
UNITED STATES DISTRICT JUDGE