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7 Attorneys for Defendant Google, Inc.

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

11 CLRB HANSON INDUSTRIES, LLC d/b/a
 12 INDUSTRIAL PRINTING, and HOWARD
 STERN, on behalf of themselves and all others
 13 similarly situated,

14 Plaintiff,

15 v.

16 GOOGLE, INC.,

17 Defendant.

CASE NO. C 05-03649 JW

**[PROPOSED] ORDER GRANTING
DEFENDANT GOOGLE, INC.'S
MOTION TO DISMISS PLAINTIFFS'
COMPLAINT**

Fed. R. Civ. P. 12(b)(6), 9(b)

Date: December 5, 2005
 Time: 9:00 a.m.
 Place: Courtroom 8
 Judge: Honorable James Ware

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 [PROPOSED] ORDER GRANTING DEFENDANT
 GOOGLE, INC.'S MOTION TO DISMISS PLAINTIFFS'
 COMPLAINT

CASE NO: C 05-03649 JW

1 Defendant Google, Inc.'s Motion to Dismiss Plaintiffs' Complaint and each cause of
2 action therein, brought pursuant to Federal Rules of Civil Procedure 12(b)(6) and 9(b), having
3 come on for hearing, the Court having considered all relevant documents and evidence and
4 having considered the arguments of counsel, and good cause appearing therefor:

5 IT IS HEREBY ORDERED that Defendant's Motion to Dismiss Plaintiffs' Complaint is
6 granted and plaintiffs' complaint is dismissed in its entirety, without leave to amend, pursuant to
7 Federal Rule of Civil Procedure 12(b)(6), and that plaintiffs' claims for fraud and negligent
8 misrepresentation are also dismissed for lack of specificity, pursuant to Federal Rule of Civil
9 Procedure 9(b).

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11 DATED: _____, 2005

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Honorable James Ware
U.S.D.C., Northern District of California

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14 Respectfully submitted:

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PERKINS COIE LLP

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By _____ /s/
David T. Biderman

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Attorneys for Defendant
GOOGLE, INC.

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