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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CLRB HANSON INDUSTRIES, LLC d/b/a  
INDUSTRIAL PRINTING, and HOWARD  
STERN, on behalf of themselves and all others  
similarly situated,  
  
Plaintiffs,  
  
v.  
  
GOOGLE, INC.,  
  
Defendant.

CASE NO. C O5-03649 JW

**[PROPOSED] ORDER GRANTING  
GOOGLE INC.'S MOTION FOR  
PARTIAL SUMMARY JUDGMENT ON  
PLAINTIFFS' "120% RULE" AND  
"PARTIAL MONTH" CLAIMS**

Date: November 10, 2008  
Time: 9:00 a.m.  
Place: Court Room 8  
Judge: Honorable James Ware

1 Defendant Google Inc.'s Motion for Partial Summary Judgment on Plaintiffs' "120%  
2 Rule" and "Partial Month" Claims brought pursuant to Federal Rule of Civil Procedure 56(c),  
3 having come on for hearing, the Court having considered all relevant documents and evidence  
4 and having considered the arguments of counsel, and good cause appearing therefor:

5 IT IS HEREBY ORDERED that defendant Google Inc.'s Motion for Partial Summary  
6 Judgment on Plaintiffs' "120% Rule" and "Partial Month" Claims is granted. Plaintiffs have  
7 suffered no injury in fact and lost no money or property as a result of Google's practice, and  
8 therefore have no standing under California Business and Professions Code sections 17200 and  
9 17500 *et seq.* to bring these claims. Therefore, Plaintiffs' claims that Google's 120% Rule  
10 and/or partial month practice violates California Business and Professions Code sections 17200  
11 and 17500 *et seq.* are dismissed for lack of standing.

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13 Dated: \_\_\_\_\_, 2008

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

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16 Respectfully submitted:  
**PERKINS COIE LLP**

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18 By \_\_\_\_\_ /S/  
David T. Biderman  
19 Attorneys for Defendant Google Inc.