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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION

12 KINDERSTART.COM LLC, a California
13 limited liability company, on behalf of itself and
14 all others similarly situated,

15 Plaintiffs,

16 v.

17 GOOGLE, INC., a Delaware corporation,

18 Defendant.

Case No. C 06-2057 JF

**[PROPOSED] ORDER DENYING
DEFENDANT'S MOTION TO DISMISS
THE FIRST AMENDED COMPLAINT**

19 Having considered Defendant Google's Motion to Dismiss the First Amended Class
20 Action Complaint ("First Amended Complaint") under Federal Rule 12(b)(6), any opposition,
21 reply and all other documents on file as well as argument and evidence presented at the hearing
22 on this motion,

23 IT IS HEREBY ORDERED THAT Defendant's motion be denied in its entirety and that
24 Defendant answer the First Amended Complaint within 20 court days from the date of this order.

25 Dated: _____, 2006

26 By: _____
27 The Honorable Jeremy Fogel