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 12 Google Inc.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

17 KINDERSTART.COM, LLC, a California)
 18 limited liability company, on behalf of itself)
 and all others similarly situated,)
 19 Plaintiffs,)
 20 v.)
 21 GOOGLE INC., a Delaware corporation,)
 22 Defendant.)

CASE NO.: C 06-2057 JF (RS)
[PROPOSED]
ORDER GRANTING DEFENDANT
GOOGLE INC.'S SPECIAL MOTION
TO STRIKE PURSUANT TO CCP §
425.16
 Before: Hon. Jeremy Fogel
 Date: October 27, 2006
 Time: 9:00 a.m.
 Courtroom: 3

1 Defendant Google Inc.'s Special Motion to Strike Pursuant to CCP § 425.16 came on for
2 hearing before this Court on October 27, 2006 in Courtroom 3, the Honorable Jeremy Fogel
3 presiding. The Court has reviewed the parties' submissions and heard oral argument and good
4 cause appearing IT IS HEREBY ORDERED THAT Google's Special Motion to Strike Count
5 Four from KinderStart's Second Amended Complaint and Count Nine from KinderStart's First
6 Amended Complaint is GRANTED. The claims are stricken and KinderStart shall pay Google
7 for its reasonable fees and costs for defending against them. Google shall submit an attorney
8 affidavit setting forth those fees and costs within 21-days of the date of this Order.

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Dated: _____, 2006

The Honorable Jeremy Fogel