

KinderStart.com LLC v. Google, Inc.

C 06-2057 JF

## EXHIBIT 3

Request for Judicial Notice  
In support of  
Plaintiff's Motion for Sanctions  
Against Google, Inc. and its Legal Counsel  
under Rule 11

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

<p>11 KINDERSTART.COM LLC, a California 12 limited liability company, on behalf of itself and 13 all others similarly situated,  14 Plaintiffs,  15 v.  16 GOOGLE, INC., a Delaware corporation,  17 Defendant.</p>	<p>Case No. C 06-2057 JF  <b>REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF PLAINTIFF’S MOTION FOR SANCTIONS AGAINST GOOGLE, INC. AND ITS LEGAL COUNSEL DAVID H. KRAMER UNDER FED. R. CIV. P. 11</b></p>
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18 Plaintiff KinderStart.com LLC (“KinderStart”), by and through its attorney, hereby  
19 requests the Court to take judicial notice pursuant to Federal Rule of Evidence 201 of the  
20 following facts and items:

21 1. Attached hereto is a true and correct copy of the FTC Consumer Alert, “Being  
22 Frank about Search Engine Rank,” September 2002.

23 2. Attached hereto is a true and correct copy of Home Page of the official website of  
24 the United States Court of Appeals for the Tenth Circuit, visited on October 19, 2006, at  
25 <http://www.ck10.uscourts.gov>.

26 Rule 201 provides in part that a “judicially noticed fact must be one not subject to  
27 reasonable dispute in that it is . . . capable of accurate and ready determination by resort to  
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