

# KRAMER EXHIBIT D

CLOSED, ECF

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:06-cv-04683-RPP**

Person v. Google, Inc.  
Assigned to: Judge Robert P. Patterson  
Demand: \$10,000,000  
Cause: 15:1 Antitrust Litigation

Date Filed: 06/19/2006  
Jury Demand: Plaintiff  
Nature of Suit: 410 Anti-Trust  
Jurisdiction: Federal Question

**Plaintiff**

**Carl E. Person**

represented by **Carl E. Person**  
Carl E. Person - An Individual  
Practitioner  
325 W. 45th St. - Suite 201  
New York, NY 10036  
(212) 307-4444  
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Email: carlpers@ix.netcom.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Google, Inc.**

represented by **David H. Kramer**  
Wilson, Sonsini, Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, CA 94304-1050  
US  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

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**Sara Beth Ciarelli**  
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 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/19/2006		SUMMONS ISSUED as to Google, Inc. (jeh, ) (Entered: 06/20/2006)
06/19/2006		Magistrate Judge Andrew J. Peck is so designated. (jeh, ) (Entered: 06/20/2006)
06/19/2006	1	COMPLAINT against Google, Inc. (Filing Fee \$ 350.00, Receipt Number 582533)Document filed by Carl E. Person.(jeh, ) (Entered: 08/11/2006)
06/27/2006	2	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MOTION for Preliminary Injunction. Document filed by Carl E. Person. Return Date set for 7/3/2006 09:30 AM. (Person, Carl) Modified on 6/27/2006 (kg). (Entered: 06/27/2006)
06/27/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Carl E. Person to MANUALLY RE-FILE Document Motion for Preliminary Injunction, Document No. 2. This case is not ECF. (kg) (Entered: 06/27/2006)
06/28/2006	3	MOTION for Preliminary Injunction enjoining Google Inc. from offering any keyword - target Internet advertising in the U.S. or in N.Y.S at Pay-Per-Clik prices unless... Document filed by Carl E. Person. Return Date set for 7/3/2006 09:30 AM. (pl, ) (Entered: 06/29/2006)
06/28/2006	4	MEMORANDUM OF LAW in Support re: [3] MOTION for Preliminary Injunction.. Document filed by Carl E. Person. (pl, ) (Entered: 06/29/2006)
06/28/2006	5	DECLARATION of Carl E. Person in Support re: [3] MOTION for Preliminary Injunction.. Document filed by Carl E. Person. (pl, ) (Entered: 06/29/2006)
06/30/2006	6	ENDORSED LETTER addressed to Judge Patterson from Jonathan Jacobson dated 6/29/06: Google's time to answer the complaint is extended until 7/27; Google's motion to dismiss shall be fld by 7/27, plntf's opposition shall be fld by 8/17, and Google's reply by 8/31/06 and briefing concerning plntf's preliminary injunction motion is suspended pending consideration of the motion to dismiss. (Signed by Judge Robert P. Patterson on 6/29/06) (cd, ) (Entered: 06/30/2006)
07/27/2006	7	MOTION to Dismiss purs to Federal Rules of Civil Procedure 129B(3) AND 12(B)(6) for improper venue and failure to state a clim upon which

		relief can be granted. Document filed by Google, Inc.. (djc, ) (Entered: 07/28/2006)
07/27/2006	8	MEMORANDUM OF LAW in Support re: [7] MOTION to Dismiss. Document filed by Google, Inc.. (djc, ) (Entered: 07/28/2006)
07/27/2006	9	DECLARATION of Sara Ciarelli in Support re: [7] MOTION to Dismiss.. Document filed by Google, Inc.. (djc, ) (Entered: 07/28/2006)
08/03/2006	10	MEMORANDUM OF LAW in Opposition re: [7] MOTION to Dismiss. Document filed by Carl E. Person. (jco, ) (Entered: 08/04/2006)
08/03/2006	11	MOTION for an Order under Rule 15(a), F.R.C.P., granting leave for the plaintiff to amend his original complaint by addition of the following two paragraphs: as set forth in this Motion. Document filed by Carl E. Person. (jco, ) (Entered: 08/04/2006)
08/03/2006	12	DECLARATION of Carl E. Person in Support re: [11] MOTION to Amend/Correct. Document filed by Carl E. Person. (jco, ) (Entered: 08/04/2006)
08/22/2006	13	AFFIDAVIT OF SERVICE of Summons and Complaint. Google, Inc. served on 6/26/2006, answer due 7/17/2006. Service was accepted by Basel Clarke. Document filed by Carl E. Person. (pl, ) (Entered: 08/29/2006)
08/31/2006	14	REPLY MEMORANDUM OF LAW in Support re: [7] MOTION to Dismiss purs to Federal Rules of Civil Procedure 129B)(3) AND 12(B) (6) for improper venue and failure to state a clim upon which relief can be granted. Document filed by Google, Inc. (jar, ) (Entered: 09/01/2006)
08/31/2006	15	DECLARATION of David Dinucci in Support re: [7] MOTION to Dismiss purs to Federal Rules of Civil Procedure 129B)(3) AND 12(B) (6) for improper venue and failure to state a clim upon which relief can be granted. Document filed by Google, Inc. (jar, ) (Entered: 09/01/2006)
09/08/2006	16	ENDORSED LETTER addressed to Judge Robert P. Patterson from Sara Ciarelli dated 9/7/06 re: This letter confirms that oral argument on Google's Motion to Dismiss and plaintiff's Cross-Motion to transfer action to California is scheduled for Wednesday, September 13, 2006 at 11:00 a.m. ENDORSEMENT: So Ordered. (Signed by Judge Robert P. Patterson on 9/6/06) (js, ) (Entered: 09/08/2006)
09/13/2006		Minute Entry for proceedings held before Judge Robert P. Patterson : Oral Argument held on 9/13/2006 re: [7] MOTION to Dismiss. filed by Google, Inc.,. (dle, ) (Entered: 09/14/2006)
09/20/2006	17	ORDER that this case should be designated as an ECF case. (Signed by Judge Robert P. Patterson on 9/20/06) (dle, ) (Entered: 09/21/2006)
09/20/2006		Case Designated ECF. (dle, ) (Entered: 09/21/2006)
09/20/2006	18	ENDORSED LETTER addressed to Judge Robert P. Patterson Jr. from Carl E. Person dated 9/15/2006 re: to after reviewing the transcript of the

		argument on September 13th, I have decided to amend my complaint (to cure weaknesses discussed at the argument), and expect to file the amended complaint on Monday or Tuesday. ENDORSEMENT: Plaintiff application to amend for the second time is denied since it was after argument of the motion to dismiss. So Ordered. (Signed by Judge Robert P. Patterson on 9/18/2006) (jmi, ) (Entered: 09/21/2006)
09/21/2006	<u>19</u>	ENDORSED LETTER addressed to Judge Robert P. Patterson from Carl E. Person dated 9/18/2006 re: requesting permission to file the first amended complaint at some point in the litigation, and that the Court grant leave to amend its decision based on the original complaint. ENDORSEMENT: Application Denied. In response to defendant's motion to dismiss, plaintiff filed a cross-motion amending his complaint on 8/3/2006 under Fed. R. Civ. P. 15(a). This is a second amendment. So Ordered. (Signed by Judge Robert P. Patterson on 9/20/2006) (lb, ) (Entered: 09/21/2006)
09/21/2006		Transmission to Judgments and Orders Clerk. Transmitted re: [19] Endorsed Letter,,, to the Judgments and Orders Clerk. (lb, ) (Entered: 09/21/2006)
09/21/2006	<u>20</u>	NOTICE OF CHANGE OF ADDRESS by Sara Beth Ciarelli on behalf of Google, Inc.. New Address: Wilson Sonsini Goodrich & Rosati, Professional Corporation, 1301 Avenue of the Americas, 40th Floor, New York, New York, USA 10019, (212) 999-5800. (Ciarelli, Sara) (Entered: 09/21/2006)
09/22/2006	<u>21</u>	CERTIFICATE OF SERVICE of Notice of Change of Address served on Carl E. Person on 9-21-06. Service was made by Overnight Mail. Document filed by Google, Inc.. (Ciarelli, Sara) (Entered: 09/22/2006)
09/22/2006	<u>22</u>	ENDORSED LETTER addressed to Judge Richard P. Pertterson from Jonathan M. Jacobson dated 9/18/2006 re: to the parties should await the Court 's decision on the original motion to dismiss before any other activity in the case is undertaken. The Court's analysis may resolve various issues Mr. Person may seek to raise in his Amended Complaint, including whether this action is properly venued here.ENDORSEMENT: Applcation granted. So Ordered. (Signed by Judge Robert P. Patterson on 9/18/2006) (jmi, ) (Entered: 09/25/2006)
09/28/2006	<u>23</u>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - MOTION for Leave to Appear Pro Hac Vice of David H. Kramer. Document filed by Google, Inc.. (Attachments: # <u>1</u> Sara B. Ciarelli Declaration In Support# <u>2</u> Exhibit A to Sara B. Ciarelli Declaration In Support# <u>3</u> Proposed Order# <u>4</u> Certificate of Service) (Ciarelli, Sara) Modified on 9/29/2006 (kg). (Entered: 09/28/2006)
09/29/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney Sara Beth Ciarelli to MANUALLY RE-FILE Document No. <u>23</u> Motion to admit Pro Hac Vice. This document is not filed via ECF. (kg) (Entered: 09/29/2006)
09/29/2006	<u>24</u>	MOTION for David H. Kramer to Appear Pro Hac Vice. Document filed

		by Google, Inc. Proposed Order attached. (db, ) (Entered: 10/02/2006)
10/10/2006	<u>25</u>	NOTICE OF APPEARANCE by Carl E. Person on behalf of Carl E. Person (Person, Carl) (Entered: 10/10/2006)
10/10/2006	<u>26</u>	MEMO ENDORSEMENT on re: <u>24</u> MOTION for David H. Kramer to Appear Pro Hac Vice. filed by Google Inc. ENDORSEMENT: Motion GRANTED. David H. Kramer is admitted pro hac vice upon his paying the required fee to the Clerk of the Court. (Signed by Judge Robert P. Patterson on 10/9/06) (js, ) (Entered: 10/10/2006)
10/10/2006		Transmission to Attorney Admissions Clerk. Transmitted re: <u>26</u> Memo Endorsement, to the Attorney Admissions Clerk for updating of Attorney Information. (js, ) (Entered: 10/10/2006)
10/11/2006	<u>27</u>	OPINION and ORDER re: granting[7] MOTION to Dismiss for improper venue...; Thus the dispute is hereby transferred to the Northern District of California at San Jose, which is in Santa Clara County, the forum selected by the contract. filed by Google, Inc., (Signed by Judge Robert P. Patterson on 10/11/06) (djc, ) (Entered: 10/11/2006)
10/11/2006		CASE TRANSFERRED OUT from the U.S.D.C. Southern District of New York to the United States District Court - Northern District of California at San Jose. Sent certified copy of docket entries and transfer order in ECF Case. Mailed via Federal Express AIRBILL #8575 0916 4131 on 11/22/06. (djc, ) (Entered: 11/22/2006)
10/17/2006		CASHIERS OFFICE REMARK on <u>26</u> Memo Endorsement, in the amount of \$25.00, paid on 10/11/2006, Receipt Number 593158. (jd, ) (Entered: 10/17/2006)
10/17/2006	<u>28</u>	TRANSCRIPT of proceedings held on 9/13/2006 before Judge Robert P. Patterson. (aba, ) (Entered: 10/17/2006)
11/02/2006	<u>29</u>	TRANSCRIPT of proceedings held on 09/13/06 before Judge Robert P. Patterson. (es, ) (Entered: 11/02/2006)

<b>PACER Service Center</b>			
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11/30/2006 17:46:09			
<b>PACER Login:</b>	ws0474	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:06-cv-04683-RPP
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.24