

KRAMER EXHIBIT E

Kramer, David

From: Carl Person [carlpers@ix.netcom.com]
Sent: Thursday, February 08, 2007 5:15 PM
To: Kramer, David
Cc: Carl E. Person
Subject: Person v. Google C 06-7297 JF (RS) - Revised Stipulation and Order for ECF Filings
Attachments: GO_Stipulation_Person_File_ECM2.doc

Dear Mr. Kramer:

I. Stipulation Concerning ECF Filings.

As you suggested, I have revised the proposed Stipulation and Order extending ECF filing to me. A copy of it is attached for your review and use.

II. Seeking Consent to File Amended Complaint

Also, I propose to amend the original complaint and request, once again, for your consent. The amended complaint will be based on the Amended Complaint (marked in red) which I sent to you a few months ago, with various changes, including changes reflecting the new venue.

I want to point out that there has never been an amended complaint in this action, and that the prior motion to dismiss and cross motion to amend have been mooted by your filing of a new motion to dismiss. Judge Patterson never granted my motion for leave to amend.

III. Request Your Consent to Application for 3-Week Extension of Time to Respond to Motion to Dismiss

In light of intention to file a [First] Amended Complaint, I would like to obtain an extension of time (3 weeks) to respond to the outstanding motion to dismiss. The filing of my amended complaint would moot Google's motion to dismiss, and enable the Court and parties to focus solely on the [First] Amended Complaint.

Please advise.

Carl E. Person