

1 Neil A. Goteiner (State Bar No. 083524)  
 2 Dennis M. Cusack (State Bar No. 124988)  
 3 Carly O. Alameda (State Bar No. 244424)  
 4 Farella Braun & Martel LLP  
 5 235 Montgomery Street, 17th Floor  
 6 San Francisco, CA 94104  
 7 Telephone: (415) 954-4400  
 8 Facsimile: (415) 954-4480  
 9 E-mail: ngoteiner@fbm.com, dcusack@fbm.com,  
 10 calameda@fbm.com

11 Attorneys for Plaintiff  
 12 COUPONS, INC.

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

16 COUPONS, INC.,

17 Plaintiff,

18 vs.

19 JOHN STOTTMIRE, and DOES 1-10,

20 Defendants.

Case No. 5:07-CV-03457 HRL

[PROPOSED] ORDER DENYING  
 DEFENDANT JOHN STOTTMIRE'S  
 MOTION TO DISMISS

Date: May 13, 2008

Time: 10:00 a.m.

Courtroom: 2, 5th floor

Judge: Honorable Howard R. Lloyd

21 On May 13, 2008 a hearing was held on Defendant John Stottlemire's Motion To Dismiss  
 22 Coupons' Second Amended Complaint, the Honorable Howard R. Lloyd presiding. Having  
 23 considered the papers submitted by the parties and by *Amicus Curiae* Electronic Frontier  
 24 Foundation, in support of and opposition to the Motion, and the argument of the parties and  
 25 *Amicus Curiae* at the hearing, and finding good cause therefor,

26 IT IS HEREBY ORDERED that:

- 27 1. Defendant's Motion to Dismiss is DENIED.

28 DATED: \_\_\_\_\_

\_\_\_\_\_  
 Hon. Howard R. Lloyd  
 United States Magistrate Judge