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 GOOGLE, INC.

8 UNITED STATES DISTRICT COURT  
 9  
 10 NORTHERN DISTRICT OF CALIFORNIA

11 DAVID ALMEIDA, individually and on  
 behalf of all others similarly situated,

12 Plaintiff,

13 v.

14 GOOGLE, INC., a Delaware corporation; and  
 15 DOES 1 through 10, inclusive,

16 Defendants.

Case No. C 08-02088 HRL

**DECLINATION TO PROCEED BEFORE  
 A MAGISTRATE JUDGE AND REQUEST  
 FOR REASSIGNMENT TO A UNITED  
 STATES DISTRICT JUDGE**

**REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

18 Pursuant to Local Rule 73-1, the undersigned party hereby declines to consent to the  
 19 assignment of this case to a United States Magistrate Judge for trial and disposition and hereby  
 20 requests the reassignment of this case to a United States District Judge.

21 Respectfully Submitted,

22 Dated: June 27, 2008

23 KEKER & VAN NEST, LLP

24 By: /s/ David Silbert

25 DAVID J. SILBERT  
 26 Attorneys for Defendant  
 27 GOOGLE, INC., a Delaware corporation  
 28

1 PROOF OF SERVICE

2 I am employed in the City and County of San Francisco, State of California in the office of a  
3 member of the bar of this court at whose direction the following service was made. I am over the  
4 age of eighteen years and not a party to the within action. My business address is Keker & Van  
Nest, LLP, 710 Sansome Street, San Francisco, California 94111.

5 On June 27, 2008, I served the following document(s):

6 **DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND**  
7 **REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT**  
8 **JUDGE**

9 (1) By **E-MAIL VIA PDF FILE**, by transmitting on this date via e-mail a true and correct  
10 copy scanned into an electronic file in Adobe "pdf" format. The transmission was reported as  
11 complete and without error; and

12 (2) By regular **UNITED STATES MAIL** by placing a true and correct copy in a sealed  
13 envelope addressed as shown below. I am readily familiar with the practice of Keker & Van  
14 Nest, LLP for collection and processing of correspondence for mailing. According to that  
15 practice, items are deposited with the United States Postal Service at San Francisco, California  
16 on that same day with postage thereon fully prepaid. I am aware that, on motion of the party  
17 served, service is presumed invalid if the postal cancellation date or the postage meter date is  
18 more than one day after the date of deposit for mailing stated in this affidavit.

19 Richard L. Kellner, Esq.  
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24 FAX: (213) 217-5010  
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26 Executed on June 27, 2008, at San Francisco, California.

27 I declare under penalty of perjury under the laws of the State of California that the above is true  
28 and correct.

29   
30 \_\_\_\_\_  
31 Kay Shida