

EXHIBIT 3

Norton, Leo

From: Robert C. Schubert [rschubert@schubertlawfirm.com]
Sent: Tuesday, August 26, 2008 1:00 PM
To: Norton, Leo; Kimberly A. Kralowec; guido@saveri.com; rick@saveri.com; cadio@saveri.com; terry@gba-law.com; adam@gba-law.com; monique@gba-law.com; eriksyverson@gmail.com; bsk@kbklawyers.com; rlk@kbklawyers.com; at@kbklawyers.com; Willem F. Jonckheer
Cc: Rhodes, Michael; Willsey, Peter; ddurie@kvn.com
Subject: RE: Google AdWords N.D. Cal. Cases - Letter from Cooley to Plaintiffs' Counsel

The attorneys in the CA cases will be discussing the issues you raise and expect to get back to you by Thursday at the latest.

From: Norton, Leo [mailto:lnorton@cooley.com]
Sent: Tuesday, August 26, 2008 12:19 PM
To: Kimberly A. Kralowec; guido@saveri.com; rick@saveri.com; cadio@saveri.com; terry@gba-law.com; adam@gba-law.com; monique@gba-law.com; eriksyverson@gmail.com; bsk@kbklawyers.com; rlk@kbklawyers.com; at@kbklawyers.com; Robert C. Schubert; Willem F. Jonckheer
Cc: Rhodes, Michael; Willsey, Peter; ddurie@kvn.com
Subject: RE: Google AdWords N.D. Cal. Cases - Letter from Cooley to Plaintiffs' Counsel

Ms. Kralowec:

Thank you for your prompt response. We are fine with September 3 for plaintiffs' response to our letter regarding relating the cases.

As for coordinating Google's response deadline and requested extension of time, we request that all plaintiffs' agree to coordinate and extend Google's response to September 30. Although we appreciate you agreeing to a further extension of time in your case (the *Levitte* case) until September 10, such an extension does not result in a coordinated response deadline. The deadline to respond in the *Pulaski* case is September 4. Additionally, Google was recently served with another AdWords parked domain and error page websites putative class action. That case is pending in the N.D. Ill., and has a mid-September response date. We are attempting to get plaintiff in that action to voluntarily dismiss and re-file in the N.D. Cal. in light of the California forum selection and choice of law clauses in the advertising program agreement and terms of service agreement and the four earlier filed overlapping and competing putative class actions in the N.D. Cal. If plaintiff there does not agree to do so, we intend to file a motion to dismiss or transfer or an MDL motion to get all the cases in the N.D. Cal. Considering the upcoming holiday, the number of actions that have recently been served to which responses are due staggered throughout September, the unresolved procedural issues regarding relating all the cases in N.D. Cal. before the same judge, including the N.D. Ill. action, our recent involvement, and the lack of impending deadlines in the cases other than *Almeida*, we believe coordinating the remaining responses in all cases to September 30 is reasonable.

I will call you shortly to discuss further.

Sincerely,

Leo P. Norton

Cooley Godward Kronish LLP • 4401 Eastgate Mall
San Diego, CA 92121-1909
Direct: 858/550-6083 • Fax: 858/550-6420
Bio: www.cooley.com/lnorton • Practice: www.cooley.com/litigation

9/4/2008

From: Kimberly A. Kralowec [mailto:KKralowec@schubertlawfirm.com]
Sent: Tuesday, August 26, 2008 9:25 AM
To: Norton, Leo; guido@saveri.com; rick@saveri.com; cadio@saveri.com; terry@gba-law.com; adam@gba-law.com; monique@gba-law.com; eriksyverson@gmail.com; bsk@kbklawyers.com; rlk@kbklawyers.com; at@kbklawyers.com; Robert C. Schubert; Willem F. Jonckheer
Cc: Rhodes, Michael; Willsey, Peter; ddurie@kvn.com
Subject: RE: Google AdWords N.D. Cal. Cases - Letter from Cooley to Plaintiffs' Counsel

Dear Mr. Norton:

I write on behalf of plaintiffs' counsel in the four cases mentioned in your letter. We have received your letter and are in the process of analyzing it. We will require an additional week, through September 3, 2008, to respond to your points. To facilitate this, we are willing to agree to an additional week for Google to respond to the complaint in the *Levitte* case. The new deadline would be September 10, 2008. I am informed that the response deadlines in the other two cases are already later than that. Please contact me with any questions or concerns regarding the above.

Sincerely,

Kimberly A. Kralowec, Esq.
Schubert Jonckheer Kolbe & Kralowec LLP
Three Embarcadero Center, Suite 1650
San Francisco, CA 94111
Telephone: (415) 788-4220
Facsimile: (415) 788-0161
Email: kkralowec@schubertlawfirm.com
Web: <http://www.schubertlawfirm.com>

From: Norton, Leo [mailto:lnorton@cooley.com]
Sent: Monday, August 25, 2008 11:25 AM
To: guido@saveri.com; rick@saveri.com; cadio@saveri.com; terry@gba-law.com; adam@gba-law.com; monique@gba-law.com; eriksyverson@gmail.com; bsk@kbklawyers.com; rlk@kbklawyers.com; ar@kbklawyers.com; rschubert@schubertlawfirm.com; Willem F. Jonckheer; Kimberly A. Kralowec
Cc: Rhodes, Michael; Willsey, Peter; ddurie@kvn.com
Subject: Google AdWords N.D. Cal. Cases - Letter from Cooley to Plaintiffs' Counsel

Dear Counsel:

I am attaching a letter and enclosures also being sent to you today via mail regarding certain administrative matters relating to the Google AdWords cases pending in the Northern District of California. We request your response on two issues. Please respond by end of day on Wednesday, August 27, 2008.

<<GOOGLE Letter to Counsel.pdf>> <<Almeida v. Google.pdf>> <<Levitte v. Google.pdf>> <<RK West, Inc. v. Google.pdf>> <<Pulaski & Middleman v. Google.pdf>>

Please contact me if you have any questions. Thank you.

Sincerely,

9/4/2008

Leo P. Norton

Cooley Godward Kronish LLP • 4401 Eastgate Mall

San Diego, CA 92121-1909

Direct: 858/550-6083 • Fax: 858/550-6420

Bio: www.cooley.com/lnorton • Practice: www.cooley.com/litigation

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