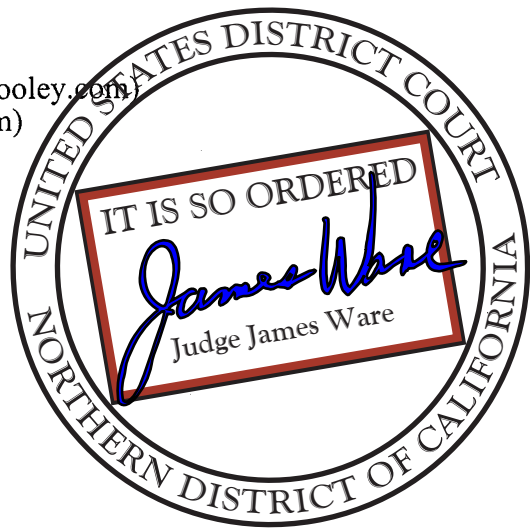


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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

In re Google AdWords Litigation

Case No. 08-cv-03369 JW RS

**STIPULATION AND ORDER  
DISMISSING PLAINTIFFS' UNJUST  
ENRICHMENT CLAIM AND  
DEFENDANT GOOGLE INC.'S  
COUNTERCLAIM AND STRIKING  
PLAINTIFFS' JURY DEMAND**

(Civil. L.R. 7-12)

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Plaintiffs and defendant Google Inc. ("Google"), by and through their respective counsel, stipulate and agree as follows:

WHEREAS, plaintiffs filed their Consolidated Class Action Complaint for Violation of California Business & Professions Code sections 17200 et seq. and 17500 et seq. and Unjust Enrichment ("Consolidated Complaint") on April 24, 2009 (Doc. No. 45);

WHEREAS, plaintiffs demanded a jury trial "on all causes of action so triable" in the Consolidated Complaint;

WHEREAS, on May 18, 2009, Google filed its Answer and Counterclaim to the Consolidated Complaint in which it asserted a counterclaim for breach of contract against plaintiff and counterclaim-defendant JIT Packaging, Inc. ("JIT"), which is one of the four named plaintiffs in this action (Doc. No. 46);

WHEREAS, in an effort to avoid unnecessary motion practice, plaintiffs and Google met and conferred regarding intended motion practice regarding the following: (1) plaintiffs' Fifth Claim for Relief for Unjust Enrichment; (2) plaintiffs' corresponding jury demand; and (3) Google's counterclaim against JIT for breach of contract;

WHEREAS, plaintiffs agreed to dismiss without prejudice the Fifth Claim for Relief for Unjust Enrichment and strike the corresponding jury demand in exchange for Google dismissing without prejudice its counterclaim for breach of contract against JIT;

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