

1 Joseph E. Addiego III (CA SBN 169522)  
 2 JAMES C. GRANT (*Pro hac vice*)  
 3 DAVIS WRIGHT TREMAINE LLP  
 4 505 Montgomery Street, Suite 800  
 5 San Francisco, CA, 94111-6533  
 6 Telephone: (415) 276-6500  
 7 Facsimile: (415) 276-6599  
 8 Email: joeaddiego@dwt.com

9 Attorneys for Defendant  
 10 T-MOBILE USA, INC.

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN JOSE DIVISION

14 DAVIS WRIGHT TREMAINE LLP

15 MARY MCKINNEY, Individually and on  
 16 behalf of All others Similarly Situated,

17 Plaintiff,

18 v.

19 GOOGLE INC., a Delaware Corporation;  
 20 HTC CORP., a Delaware Corporation; and  
 21 T-MOBILE USA, INC., a Delaware  
 22 Corporation,

23 Defendants.

Case No. CV 10-01177 JW

**[PROPOSED] ORDER GRANTING  
 DEFENDANT T-MOBILE USA, INC'S  
 MOTION TO DISMISS**

Date: November 1, 2010  
 Time: 9:00 a.m.  
 Courtroom: 8

The Honorable James S. Ware

24 The Court, having considered the Motion of Defendant T-Mobile USA, Inc. to Dismiss  
 25 First Amended Coordinated Complaint, and finding good cause therefor,

26 IT IS HEREBY ORDERED THAT:

27 Plaintiffs' First Amended Coordinated Complaint is hereby DISMISSED WITH  
 28 PREJUDICE.

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Dated: \_\_\_\_\_

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The Honorable Judge James S. Ware  
Judge of the United States District Court

Presented By:

Dated: July 12, 2010

DAVIS WRIGHT TREMAINE LLP

By: s/James C. Grant  
Joseph E. Addiego III  
James C. Grant (admitted *pro hac vice*)  
Attorney for Defendant  
T-MOBILE USA, INC.