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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA – SAN JOSE DIVISION**

MARY MCKINNEY, Individually and on
behalf of All Others Similarly Situated,

Plaintiff,

v.

GOOGLE, INC., a Delaware Corporation;
HTC CORP., a Delaware Corporation; and T-
MOBILE USA, INC., a Delaware Corporation.

Defendants.

5:10-cv-01177-JW

CLASS ACTION

**[PROPOSED] ORDER DENYING
DEFENDANT HTC CORP.'S MOTION TO
COMPEL ARBITRATION AND TO STAY
CLAIMS**

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

Judge: Hon. James Ware

[PROPOSED] ORDER

Having considered Defendant HTC Corp.'s Motion to Compel Arbitration and to Stay
Claims and opposition thereto, and good cause appearing, the Court hereby DENIES the motion.

IT IS SO ORDERED.

Dated: _____

UNITED STATES DISTRICT COURT JUDGE
THE HONORABLE JAMES S. WARE

Wuistein, Ageiman & Krieger, LLP
2800 Donald Douglas Loop North
Santa Monica, California 90405