

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of California

MARY MCKINNEY, Individually and on behalf of all others similarly situated,

Plaintiff

v.

GOOGLE, INC., a Delaware corporation; and HTC CORP., a Delaware corporation.

Defendant

Civil Action No. 10-CV-01177-JW

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Google, Inc. HTC Corp. 2730 Gateway Oaks Dr. 560 Mission Street Suite 100 27th Floor Sacramento, CA 95833 San Francisco, CA 94105

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,

whose name and address are: Wayne S. Kreger Gillian L. Wade Sara D. Avila 2800 Donald Douglas Loop North Santa Monica, CA 90405 Joe R. Whatley, Jr. Edith M. Kallas Patrick J. Sheehan 1540 Broadway, 37th Floor New York, New York 10036

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk