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 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**
 10 **SAN JOSE DIVISION**

12 JASON WEBER, an individual, on behalf
 of himself and all others similarly situated,

13 Plaintiff,

14 v.

15 GOOGLE INC., a Delaware Corporation,

16 Defendant.

Case No. 5:10-cv-05035-EJD

**[PROPOSED] ORDER GRANTING
 GOOGLE INC.'S MOTION TO DISMISS
 PLAINTIFF'S FIRST AMENDED
 COMPLAINT PURSUANT TO RULES
 12(b)(1) AND 12(b)(6)**

Hearing Date: September 2, 2011
 Time: 9:00 a.m.
 Place: Courtroom 1, 5th Floor
 Judge: Hon. Edward J. Davila

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This matter came before the Court on the motion by Defendant Google Inc. for an order dismissing the Plaintiff’s First Amended Complaint (the “Complaint”). Having considered the moving and reply papers, all papers in opposition, the argument of counsel, the pleadings and files in this action, and all other matters properly before the Court, and for good cause appearing:

IT IS HEREBY ORDERED that Google Inc.’s Motion to Dismiss is GRANTED and Plaintiff’s First Amended Complaint is hereby DISMISSED in its entirety with prejudice.

IT IS SO ORDERED.

Dated: _____, 2011

By: _____
The Honorable Edward J. Davila
United States District Judge
Northern District of California