EXHIBIT A

BEFORE THE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE: GOOGLE WIFI LITIGATION	MDL Docket No. _____

MOTION OF GOOGLE INC. FOR TRANSFER OF ACTIONS TO THE NORTHERN DISTRICT OF CALIFORNIA PURSUANT TO 28 U.S.C. § 1407 FOR COORDINATED OR CONSOLIDATED PRETRIAL PROCEEDINGS

PERKINS COIE LLP
Susan D. Fahringer, CA Bar No. 162978
SFahringer@perkinscoie.com
Bobbie J. Wilson, CA Bar No. 148317
BWilson@perkinscoie.com
Four Embarcadero Center, Suite 2400
San Francisco, CA 94111-4131
Telephone: 415.344.7000
Facsimile: 415.344.7050

David J. Burman, WSBA No. 10611
Albert Gidari, WSBA No. 18521
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000

Counsel for Defendant Google Inc.

Defendant Google Inc. respectfully moves this Panel for an order, pursuant to 28 U.S.C. § 1407 and Rule 7.2 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, transferring the actions identified in the attached Schedule of Actions, as well as all subsequently filed related actions, to the United States District Court for the Northern District of California, for coordinated or consolidated pretrial proceedings.

In support of its Motion, and as more fully articulated in the accompanying Brief, Google states:

1. The actions identified in the attached Schedule of Actions (the "Google WiFi Cases") have been filed by the plaintiffs and are pending in the districts indicated in the Schedule.

2. To date, plaintiffs have filed eight Google WiFi Cases. The cases are pending in the United States District Courts for the Northern District of California (two cases); the District of Oregon; the Southern District of Illinois; the District of Massachusetts; the Eastern District of Pennsylvania; and the District of Columbia (two cases). (A case has been filed in the Central District of California that is likely a ninth such case, but Google has not seen the complaint.)

3. Plaintiffs in six of the Google WiFi Cases purport to represent nationwide classes of aggrieved individuals.

4. Google is the lone defendant in each case.

5. Google's principal place of business and headquarters are located in Mountain View, California, which is in the Northern District of California.

6. Google believes that most of the likely witnesses and relevant documents are located in the Northern District of California.

Defendant Google, Inc. respectfully moves this Panel for an order pursuant to 28 U.S.C. § 1407 and Rule [illegible] of Procedure of the Judicial Panel on Multidistrict Litigation transferring the actions identified in the attached Schedule of Actions, as well as all subsequent filed related actions, to the United States District Court for the Northern [illegible] District of California for coordinated or consolidated pretrial proceedings.

In support of this Motion, and as more fully set forth in the accompanying Brief, Google states:

1. The actions identified in the attached Schedule of Actions (the "Google Wifi" cases) have been filed by the plaintiffs and are pending in the districts indicated in the Schedule.

2. To date, plaintiffs have filed eight ([illegible]) cases. The cases are pending in the United States District Courts in the Northern Districts of California, the Southern District of [illegible], the Southern District of Illinois, the Eastern District of Missouri, the Eastern District of [illegible], and the Western District of Pennsylvania. A ninth case has been filed in the Central District of California that is likely to be [illegible] and Google has not yet been served in the complaint.

3. Plaintiffs in each of the Google Wifi cases propose to represent nationwide classes of purchasers of Google products.

4. Google is the sole defendant in each case.

5. Google's principal place of business and headquarters are located in Mountain View, California, which is in the Northern District of California.

6. Google's collection and use of data using computers and related equipment located in the Northern District of California.

7. All of the complaints in the Google WiFi Cases assert claims under the federal Wiretap Act, 18 U.S.C. § 2511 et seq. Some cases involve other, similar claims, including state law claims subject to preemption arguments under federal law.

8. All of the complaints make very similar factual allegations, and thus any necessary discovery will be of common facts.

9. In accordance with 28 U.S.C. § 1407, the transfer and coordination or consolidation of the Google WiFi Cases will serve the convenience of the parties, witnesses, counsel, and the judicial system.

10. Absent pretrial coordination or consolidation, the possibility of inconsistent pretrial rulings exists, especially with respect to the proper scope and extent of discovery, class certification, and other factual and legal matters.

11. Given the procedural posture of the Google WiFi Cases, no judicial resources will be wasted if these cases are transferred.

12. Three of the Google WiFi Cases are pending in the Ninth Circuit, and two are pending in the Northern District of California.

WHEREFORE, for the reasons stated herein and in the accompanying Brief, Google respectfully requests that the Panel issue an order transferring all actions listed in the attached Schedule of Actions, as well as all subsequently filed related actions, to the United States District Court for the Northern District of California, for coordinated or consolidated pretrial proceedings.

Dated this 8th day of June, 2010.

PERKINS COIE LLP

By: _____

Susan D. Fahringer, CA Bar No. 162978
SFahringer@perkinscoie.com
Bobbie J. Wilson, CA Bar No. 148317
BWilson@perkinscoie.com
Four Embarcadero Center, Suite 2400
San Francisco, CA 94111-4131
Telephone: 415.344.7000
Facsimile: 415.344.7050

David J. Burman, WSBA No. 10611
Albert Gidari, WSBA No. 18521
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000

Counsel for Defendant Google Inc.

BEFORE THE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE: GOOGLE WIFI LITIGATION	MDL Docket No. _____

MEMORANDUM IN SUPPORT OF MOTION OF GOOGLE INC. FOR CONSOLIDATION AND TRANSFER OF ACTIONS TO THE NORTHERN DISTRICT OF CALIFORNIA

PERKINS COIE LLP
Susan D. Fahringer, CA Bar No. 162978
SFahringer@perkinscoie.com
Bobbie J. Wilson, CA Bar No. 148317
BWilson@perkinscoie.com
Four Embarcadero Center, Suite 2400
San Francisco, CA 94111-4131
Telephone: 415.344.7000
Facsimile: 415.344.7050

David J. Burman, WSBA No. 10611
Albert Gidari, WSBA No. 18521
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000

Counsel for Defendant Google Inc.

TABLE OF CONTENTS

Pursuant to 28 U.S.C. § 1407 and Rule 7.2 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, defendant Google Inc. ("Google") respectfully submits this Brief in support of its Motion to transfer the actions listed in the attached Schedule of Actions (the "Google WiFi Cases") to the United States District Court for the Northern District of California for coordinated or consolidated pretrial proceedings.

I. BACKGROUND

To date, eight Google WiFi Cases are pending in six federal judicial districts: the Northern District of California, the District of Oregon, the Southern District of Illinois, the District of Massachusetts, the Eastern District of Pennsylvania, and the District of Columbia.[1] Google is the sole defendant in all of the Google WiFi Cases.

While there are variations among these cases, they are all rooted in the same basic alleged facts and theory. Specifically, plaintiffs claim that they maintained "open" wireless ("WiFi") connections that they used to transmit and receive personal information.[2] *See, e.g.*, Stokes Compl. ¶¶ 3-5, 20, 27-28; Van Valin Am. Compl. ¶¶ 4-5, 22-24; Berlage Am. Compl. ¶¶ 5-8, 17; Colman Compl. ¶ 5. *Compare* Galaxy Internet Services Compl. ¶¶ 13-16 (alleging that plaintiff Galaxy Internet Services is in the business of providing open WiFi connections for the use of others). Plaintiffs further allege that some time in 2006 or 2007, Google was engaged in a

---

[1] In chronological order of filing, the Google WiFi Cases are: *Van Valin v. Google, Inc.*, Civil Action No. 10-0557 (D. Or.) (Mosman, J.) (filed May 17, 2010); *Berlage v. Google, Inc.*, Civil Action No. 10-2187 (N.D. Cal.) (Ware, J.) (filed May 20, 2010); *Galaxy Internet Services, Inc. v. Google, Inc.*, Civil Action No. 10-10871 (D. Mass.) (Young, J.) (filed May 25, 2010); *Colman v. Google, Inc.*, Civil Action No. 10-0877 (D.D.C.) (Bates, J.) (filed May 26, 2010); *Stokes v. Google, Inc.*, Civil Action No. 10-2306 (N.D. Cal.) (Fogel, J.) (filed May 26, 2010); *Keyes v. Google, Inc.*, Civil Action No. 10-0896 (D.D.C.) (Bates, J.) (filed May 28, 2010); *Redstone v. Google, Inc.*, Civil Action No. 10-0400 (S.D. Ill.) (Gilbert, J.) (filed May 28, 2010); and *Carter v. Google, Inc.*, Civil Action No. 10-2649 (E.D. Pa.) (Slomsky, J.) (filed June 2, 2010). *Reyas v. Google, Inc.*, Civil Action No. 10-3886 (C.D. Cal.) (Walter, J.) (filed May 24, 2010), appears likely to be a similar case. Google will refer to the complaints in each case by the name of the first named plaintiff—for example, the complaint in N.D. Cal. Civil Action No. 10-2306 will be referred to as the "Stokes Compl."

[2] This sort of information is often referred to as "content" or "payload" data. *See, e.g.*, Van Valin Am. Compl. ¶ 12.

project to supplement its Google Maps product with "StreetView" photography filmed by Google vehicles and that wireless receivers were added that allowed the vehicles to "intercept" data transmitted over open WiFi connections in the vicinity of those vehicles.[3] *See, e.g.*, Stokes Compl. ¶¶ 15, 21; Redstone Compl. ¶¶ 17-21. Plaintiffs allege Google used its StreetView vehicles to receive not just WiFi location information but the personal data that came with those open WiFi transmissions, and that Google stored the personal data it collected on its computers. *See, e.g.*, Stokes Compl. ¶¶ 15, 20; Van Valin Am. Compl. ¶¶ 13, 26.

Based on these allegations, plaintiffs contend that Google violated the federal Wiretap Act (all cases), other federal (one case) and state statutes (two cases), and state common law (three cases). *Compare* Stokes Compl. ¶¶ 40-73 (alleging violations of the federal Wiretap Act, federal Computer Fraud and Abuse Act, California computer crime and unfair practices statutes, and an accounting claim, apparently under state common law) *with* Keyes Compl. ¶ 102 (alleging violation of Wiretap Act only). Collectively, plaintiffs seek statutory damages, punitive damages, injunctive relief, declaratory relief, and costs. All plaintiffs seek class certification, though not all seek certification of nationwide classes.

---

[3] Google's StreetView vehicles use special cameras to capture "street view" photographs of locations around the world. These images are available via the Google Maps and Google Earth online services. *See* Google Street View—Behind the Scenes, http://maps.google.com/help/maps/streetview/behind-the-scenes.html (last visited June 8, 2010) ("The [StreetView] feature provides users 360° horizontal and 290° vertical panoramic street level views within Google Maps. Google collects these images using special cameras and equipment [mounted on vehicles] that capture and match images to a specific location using GPS devices. Once the images are captured, they are 'sewn' together to create a 360° panorama. Faces and license plates are blurred before the panorama images are served and become viewable in Google Maps."). Google's collection of photographs for these purposes is not at issue in the Google WiFi cases.

The purpose for adding the WiFi receivers was to create an alternative to satellites ("GPS") for location-based services, triangulating from the signal strengths and identifications of wireless transmitters.

[illegible]

II. ANALYSIS

A. TRANSFER AND COORDINATION OF THE GOOGLE WIFI CASES IS APPROPRIATE AND NECESSARY

Under 28 U.S.C. § 1407, the Panel may transfer federal civil actions for pretrial coordination or consolidation if (1) the cases involve "common questions of fact"; (2) the transfer is convenient for the parties and witnesses; and (3) the transfer "promote[s] the just and efficient conduct" of the cases. 28 U.S.C. § 1407(a). Generally speaking, the purpose of Section 1407 is "to eliminate duplication in discovery, avoid conflicting rulings and schedules, reduce litigation costs, and save the time and effort of the parties, the attorneys, the witnesses, and the courts." Manual for Complex Litigation (Fourth) § 20.131 (2004) (citing *In re Plumbing Fixture Cases*, 298 F. Supp. 484 (J.P.M.L. 1968)); *see* David F. Herr, Multidistrict Litigation Manual § 5:16 (2010) (same).

The Google WiFi Cases are well suited for centralization under Section 1407. Though scattered across the country, these cases are closely related: they share the same single defendant, the same basic theory of liability, and the same basic factual allegations. All of the cases will involve the same core of lay and expert witness and document discovery. Moreover, none of these cases have made any substantial progress toward trial, making this the optimal time to order transfer. Discovery has not commenced; no substantive motions have been heard; and no trial scheduling order has issued in any case. For these and other reasons, transferring these cases pursuant to 28 U.S.C. § 1407 would enhance the convenience and efficiency of this litigation. Failing to transfer would almost certainly lead to inconsistent and conflicting rulings—particularly with respect to discovery, class certification, and other pretrial matters—and squander judicial resources in several judicial districts. Thus, the Panel should issue an

order transferring all the Google WiFi Cases to one judicial district for pretrial coordination or consolidation.

1. The Google WiFi Cases Involve Common Issues for Discovery

Federal civil actions are eligible for transfer pursuant to 28 U.S.C. § 1407 if they involve "common questions of fact" subject to discovery. *See* 28 U.S.C. § 1407(a); *In re Kugel Mesh Hernia Patch Products Liability Litigation*, 493 F. Supp. 2d 1371, 1372-73 (J.P.M.L. 2007). That requirement is plainly met here. The Google WiFi Cases share many issues of fact.[4] *See In re Lycoming Crankshaft Products Liability Litigation*, 473 F. Supp. 2d 1380, 1381 (J.P.M.L. 2007) (common issues of fact must be "sufficiently complex and/or numerous").

Transferring the Google WiFi Cases will permit the transferee court to manage discovery justly and efficiently; eliminate duplicative discovery; and avoid conflicting rulings on issues like the scope, timing, and form of discovery. *See, e.g., In re M3Power Razor System Marketing & Sales Practices Litigation*, 398 F. Supp. 2d 1363, 1364-65 (J.P.M.L. 2005) ("Transfer under Section 1407 will offer the benefit of placing all actions in this docket before a single judge who can structure pretrial proceedings to accommodate all parties' legitimate discovery needs while ensuring that the common party and witnesses are not subjected to discovery demands that duplicate activity that will or has occurred in other actions."). Transferring these cases will also prevent inconsistent rulings with respect to other important pretrial matters, including class certification. *See id.* at 1364 (transferring related class actions; observing that "[c]entralization under Section 1407 is necessary in order to . . ..prevent inconsistent pretrial rulings (especially

---

[4] The Google WiFi Cases vary slightly with respect to specific legal theories subsidiary to that based on the Wiretap Act. That variation, however, does not preclude transfer. *See, e.g., In re M3Power Razor System Marketing & Sales Practices Litigation*, 398 F. Supp. 2d at 1364 ("The presence of differing legal theories is outweighed when the underlying actions, such as the actions here, arise from a common factual core.").

with respect to questions of class certification), and conserve the resources of the parties, their counsel and the judiciary").

2. Pretrial Centralization Will Enhance the Convenience of the Litigation as a Whole

Transfer is appropriate when it would enhance the convenience of the litigation as a whole. *See, e.g., In re Library Editions of Children's Books*, 297 F. Supp. 385, 386 (J.P.M.L. 1968) ("[T]he Panel must weigh the interests of all the plaintiffs and all the defendants, and must consider multiple litigation as a whole in the light of the purposes of the law."). Here, pretrial transfer would undoubtedly ease the burdens on all involved—particularly if, as Google requests, these cases are transferred to the Northern District of California. *See infra* Section II.B.

As an initial matter, it is important to note that all of these cases are in their infancy. Little or no motion practice has taken place, and no discovery has been exchanged. As a result, no court has expended a significant amount of judicial resources on a Google WiFi Case or become particularly familiar with the relevant issues. This is therefore the optimal time for transfer.

Plaintiffs stand to benefit from pretrial centralization at least as much as Google does. For example, pretrial transfer would reduce discovery delays and costs for plaintiffs, and permit plaintiffs' counsel to coordinate their efforts and share the pretrial workload. *See, e.g., In re Baldwin-United Corp. Litigation*, 581 F. Supp. 739, 741 (J.P.M.L. 1984) ("[P]rudent counsel will combine their forces and apportion the workload in order to streamline the efforts of the parties and witnesses, their counsel and the judiciary, thereby effectuating an overall savings of cost and a minimum of inconvenience to all concerned.").

Pretrial centralization will also allow Google to concentrate its attention and energy on one nearby forum, rather than numerous locations all over the country. As a result, Google will

be able to respond more quickly and effectively to plaintiffs and the transferee court, enhancing the overall efficiency of the litigation. *See In re: Apple iPhone 3G Products Liability Litigation*, 630 F. Supp. 2d 1382, 1383 (J.P.M.L. 2009) (concluding that transfer to the Northern District of California would "conserve the resources of the parties, their counsel and the judiciary," in part because "[t]he headquarters of the common defendant . . . are located within this district").

Finally, pretrial transfer would reduce the burden on witnesses—most of whom are likely Google employees, many located in the Northern District of California—by eliminating costly and time-consuming travel and duplicative testimony. *See, e.g., In re Allstate Insurance Co. Underwriting and Rating Practices Litigation*, 206 F. Supp. 2d 1371, 1372 (J.P.M.L. 2002).

In short, transferring the Google WiFi Cases for pretrial coordination or consolidation will make this litigation far more efficient and convenient for all involved.

3. Pretrial Centralization Will Promote the Just and Efficient Conduct of These Cases

Centralization of the Google WiFi Cases will also promote the just and efficient conduct of this litigation. In evaluating whether proposed pretrial transfers serve this goal, the Panel often asks whether centralization will avoid duplicative discovery, prevent inconsistent or repetitive pretrial rulings, and conserve the resources of the parties, their counsel, and the courts. *See, e.g., In re Baycol Products Liability Litigation*, 180 F. Supp. 2d 1378, 1380 (J.P.M.L. 2001) (centralization would promote justice and efficiency because it would "eliminate duplicative discovery; prevent inconsistent pretrial rulings, including with respect to class certification; and conserve the resources of the parties, their counsel and the judiciary").

All of those criteria are met here. Google is the only defendant in this litigation; most of the likely witnesses are Google employees; and most of the relevant documents are likely in

Google's possession. Thus, centralization is necessary to prevent inconsistent or duplicative discovery rulings and to avoid unnecessary burdens on witnesses.

Moreover, all of the Google WiFi Cases are putative class actions based on substantially similar allegations. Most seek nationwide classes. Without centralization, numerous federal district courts will likely consider and rule upon nearly identical class certification arguments. The Panel routinely centralizes putative class actions to avoid this unwieldy and wasteful result. *See, e.g., In re Pharmacy Benefits Managers*, 452 F. Supp. 2d 1352, 1353 (J.P.M.L. 2006); *In re Resource Exploration, Inc. Securities Litigation*, 483 F. Supp. 817, 821 (J.P.M.L. 1980) ("An additional justification for transfer is the fact that most of the actions before us have been brought on behalf of similar or overlapping classes[.] It is desirable to have a single judge oversee the class action issues . . . to avoid duplicative efforts and inconsistent rulings in this area."); *In re Natural Resources Fund, Inc., Securities Litigation*, 372 F. Supp. 1403, 1404 (J.P.M.L. 1974) ("[T]he potential for conflicting class determinations by the transferor courts" is a "highly persuasive if not compelling reason for transfer[.]").

Finally, centralizing these cases will avoid duplicative or inconsistent rulings with respect to other pretrial matters. For example, Google will likely argue that even if plaintiffs' allegations are true, Google did not violate the federal Wiretap Act (and similar state statutes) for a number of reasons, including the fact that open WiFi transmissions are "readily accessible" to the general public under 18 U.S.C. § 2511(2)(g)(i). Because every Google WiFi Case invokes the federal Wiretap Act, the "readily accessible" issue and other technical issues under that Act go to the heart of the litigation. It is therefore crucial that they not be the subject of conflicting rulings. Indeed, a single transferee court will be in the best position to determine the appropriate staging and resolution of such threshold issues that affect all actions and that could dramatically simplify

the litigation. *See In re Suess Patent Infringement Litigation*, 331 F. Supp. 549, 550 (J.P.M.L. 1971).

B. THE GOOGLE WIFI CASES SHOULD BE TRANSFERRED TO THE NORTHERN DISTRICT OF CALIFORNIA

Transferring the Google WiFi Cases to the Northern District of California would best serve the purposes of 28 U.S.C. § 1407.

The Panel considers a variety of factors in determining where to transfer related cases, including the locations of pending cases; the location of the defendant; the location of putative class members, witnesses, and relevant documents; and the resources of potential transferee districts and courts. *See, e.g., In re Cintas Corp. Overtime Pay Arbitration Litigation*, 444 F. Supp. 2d 1353, 1355 (J.P.M.L. 2006). These factors strongly favor transfer to the Northern District of California.

First, two Google WiFi Cases are pending in the Northern District of California. *See* David F. Herr, Multidistrict Litigation Manual § 6:8 (2010) ("[T]he Panel will not normally transfer actions to a district in which no action is then pending and the Panel clearly considers the number of actions pending in various districts to determine the selection."). Only the District of Columbia has an equal number of Google WiFi Cases, and no other district has more.

Second, by all measures the Northern District of California is the "center of gravity" of this litigation. *In re Washington Public Power Supply Systems Securities Litigation*, 568 F. Supp. 1250, 1251-52 (J.P.M.L. 1983) (transferring actions to the Western District of Washington because it was "the center of gravity of this litigation and the focal point for discovery").

Google's headquarters and numerous Google employees and documents are located in the Northern District of California.[5]

Notably, the geographic concentration of the pending cases—a matter determined by the various plaintiffs—further demonstrates that the Northern District of California is the center of gravity of this litigation. Three and perhaps four of the Google WiFi Cases are pending in the Ninth Circuit, and two of the cases are pending in the Northern District of California.[6] The only other district in which two cases are pending is that for the District of Columbia, and that district and the District of Columbia Circuit cover less than one fifth of one percent of the United States population. The Northern District encompasses one of the most technologically active regions of the country, and is part of the country's most populous state and most populous circuit. Thus, an unusually high percentage of putative nationwide class members reside in or near the Northern District of California. Further, of the four statewide putative classes sought in the various cases, one is for California residents. The other three are Oregon, where the Van Valin complaint is pending, and Ohio and Washington, where no complaints were filed. Thus, three of four putative state classes are in the Ninth Circuit.

III. CONCLUSION

For the foregoing reasons, Google respectfully requests that the Panel transfer the Google WiFi Cases, listed in the attached Schedule of Actions, to the United States District Court for the Northern District of California, for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407.

---

[5] It is also likely that many non-party witnesses—such as former Google employees and contractors and consultants—also reside in the Northern District of California. If the Google WiFi Cases were transferred to another federal judicial district, such non-party witnesses would not be within the subpoena power of that district court.

[6] The two cases are before Judges Fogel and Ware. Both are experienced and able jurists with substantial experience managing complex multidistrict litigation, as is true of other judges in that district. The Northern District's time to disposition of cases compares favorably to that in the other involved districts.

Dated this 8th day of June, 2010.

PERKINS COIE LLP

By: _____

Susan D. Fahringer, CA Bar No. 162978
SFahringer@perkinscoie.com
Bobbie J. Wilson, CA Bar No. 148317
BWilson@perkinscoie.com
Four Embarcadero Center, Suite 2400
San Francisco, CA 94111-4131
Telephone: 415.344.7000
Facsimile: 415.344.7050

David J. Burman, WSBA No. 10611
Albert Gidari, WSBA No. 18521
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000

Counsel for Defendant Google Inc.

BEFORE THE UNITED STATES JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE: GOOGLE WIFI LITIGATION	MDL Docket No. _____

SCHEDULE OF ACTIONS

Case Captions	Court	Civil Action No.	Judge
Plaintiffs: Matthew Berlage Aaron Linsky James Fairbanks **Defendant:** Google Inc.	Northern District of California	5:10-cv-2187	Hon. James Ware Mag. Patricia V. Trumbull
Plaintiff: B. Stokes **Defendant:** Google Inc.	Northern District of California	5:10-cv-2306	Hon. Jeremy Fogel Mag. Howard R. Lloyd
Plaintiff: Jeffrey Colman **Defendant:** Google Inc.	District of Columbia	1:10-cv-877	Hon. John D. Bates
Plaintiffs: Patrick Keyes Deepa Isac Edward Fenn **Defendant:** Google Inc.	District of Columbia	1:10-cv-896	Hon. John D. Bates
Plaintiffs: John E. Redstone Karl H. Schulz Dean M. Bastilla **Defendant:** Google Inc.	Southern District of Illinois	3:10-cv-400	Hon. J. Phil Gilbert Mag. Donald G. Wilkerson

41063-0151/LEGAL18478090.1

EXHIBIT A
PAGE 17 OF 23

Case Captions	Court	Civil Action No.	Judge
Plaintiff: Galaxy Internet Services, Inc. **Defendant:** Google Inc.	District of Massachusetts	1:10-cv-10871	Hon. William G. Young
Plaintiffs: Vicki Van Valin Neil Mertz **Defendant:** Google Inc.	District of Oregon	3:10-cv-557	Mag. Janice M. Stewart
Plaintiffs: Stephanie Carter Russell Carter **Defendant:** Google Inc.	Eastern District of Pennsylvania	2:10-cv-2649	Hon. Joel H. Slomsky

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

IN RE GOOGLE WIFI LITIGATION	MDL Docket No. _____

PROOF OF SERVICE

I, Susan D. Fahringer, hereby certify that a copy of the foregoing Motion of Google Inc. for Transfer of Actions to the Northern District of California Pursuant to 28 U.S.C. § 1407 for Coordinated or Consolidated Pretrial Proceedings, Brief in Support of Google Inc.'s Motion, and this Proof of Service, was served via email on June 8, 2010, on counsel with such email identified on the relevant complaint and will be served by overnight delivery service on all counsel and courts listed on the attached Service List on June 9, 2010.

Dated this 8th day of June, 2010

PERKINS COIE LLP

By: _____

Susan D. Fahringer, CA Bar No. 162978
SFahringer@perkinscoie.com
Bobbie J. Wilson, Cal Bar No. 148317
BWilson@perkinscoie.com
Four Embarcadero Center, Suite 2400
San Francisco, CA 94111-4131
Telephone: 415.344.7000
Facsimile: 415.344.7050

David J. Burman, WSBA No. 10611
Albert Gidari, WSBA No. 18521
1201 Third Avenue, Suite 4800
Seattle, WA 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000

Counsel for Defendant Google Inc.

SERVICE LIST

Plaintiffs	
Daniel A. Small **Cohen Milstein Sellers & Toll PLLC** 1100 New York Avenue, NW Suite 500, West Tower Washington, DC 20005 Phone: (202) 408-4600 Fax: (202) 408-4699 *Counsel for Plaintiffs Patrick Keyes, Deepa Isac, and Edward Fenn.*	
Brady H. Mertz **Law Office of Brady Mertz** 2285 Liberty Street NE Salem, OR 97301 Phone: (503) 385-0121 Fax: (503) 763-3543 Email: brady@bradymertz.com *Counsel for Plaintiffs Vicki Van Valin and Neil Mertz*	Brooks Franklin Cooper 520 SW Sixth Avenue Suite 914 Portland, OR 97204 Phone: (971) 645-4433 Fax: (503) 296-5704 Email: brooks@bcooper-law.com *Counsel for Plaintiffs Vicki Van Valin and Neil Mertz*
Rick Klingbeil **Rick Klingbeil, PC** 520 S.W. Sixth Avenue Suite 950 Portland, OR 97204 Phone: (503) 473-8565 Fax: (503) 546-0598 Email: rick@klingbeil-law.com *Counsel for Plaintiffs Vicki Van Valin and Neil Mertz*	Peter J. Bezek Justin Potter Karczag Robert A. Curtis **Foley Bezek Behle & Curtis, LLP** 15 West Carrillo Street Santa Barbara, CA 93101-8215 Phone: (805) 962-9495 Fax: (805) 962-0722 Email: pbezek@foleybezek.com Email: jkarczag@foleybezek.com Email: rcurtis@foleybezek.com *Counsel for Plaintiffs Matthew Berlage, Aaron Linsky, and James Fairbanks*

Christian A. Jenkins **Minello & Jenkins, Co. LPA** 2712 Observatory Ave Cincinnati, OH 45208 Phone: (513) 723-1600 *Counsel for Plaintiffs Matthew Berlage, Aaron Linsky, and James Fairbanks*	
Robert H. Carp **CarpLaw Offices, LLC** 2nd Floor 100 Needham Street Newton, MA 02464 Phone: 617-861-4529 Email: bob@gis.net *Counsel for Plaintiff Galaxy Internet Services, Inc.*	Philip S. Friedman **Friedman Law Offices, PLLC** 2401 Pennsylvania Ave., N.W. Suite 410 Washington, DC 20037-1730 Phone: (202) 293-4175 Fax: (202) 318-0395 Email: psf@consumerlawhelp.com *Counsel for Plaintiff Jeffrey Colman*
Sean Reis **Edelson McGuier, LLP** 30021 Tomas Street Suite 300 Rancho Santa Margarita, CA 92688 Phone: 949-459-2124 Fax: 949-459-2123 Email: sreis@edelson.com Benjamin Harris Richman Jay Edelson Michael James Aschenbrener **Edelson McGuire, LLC** 350 North LaSalle Street Suite 1300 Chicago, IL 60654 Phone: 312-589-6370 Fax: 312-589-6378 Email: brichman@edelson.com Email: jedelson@edelson.com Email: maschenbrener@edelson.com *Counsel for Plaintiff B. Stokes*	Aaron M. Zigler **Korein Tillery** 505 N. 7th Street, Suite 3600 St. Louis, MO 63101 314-241-4844 Fax: 314-241-3525 Email: azigler@koreintillery.com Stephen A. Swedlow **Korein Tillery** 205 North Michigan Ave., Suite 1940 Chicago, IL 60601 312-899-5063 Fax: 312-641-9555 Email: sswedlow@koreintillery.com *Counsel for Plaintiffs John E. Redstone, Karl A. Schulz, and Dean M. Bastilla*

Jeffrey L. Kodroff **Spector Roseman Kodroff & Willis, P.C.** 1818 Market Street Suite 2500 Philadelphia, PA 19103 Phone: 215-496-0300 Email: jkodroff@srkw-law.com *Counsel for Plaintiffs Stephanie Carter and Russell Carter*	
Other	
Clerk of the Court U.S. District Court for the District of Oregon Mark O. Hatfield United States Courthouse 1000 Southwest Third Avenue, Suite 740 Portland, Oregon 97204-2930	Clerk of the Court U.S. District Court for the Northern District of California 280 South 1st Street San Jose, CA 95113
Clerk of the Court U.S. District Court for the District of Massachusetts 1 Courthouse Way Boston, MA 02210	Clerk of the Court U.S. District Court for the District of the District of Columbia 333 Constitution Ave., N.W. Washington, D.C. 20001
Clerk of the Court U.S. District Court for the Southern District of Illinois 750 Missouri Avenue East St. Louis, IL 62201	Clerk of the Court U.S. District Court for the Eastern District of Pennsylvania James A. Byrne Federal Courthouse 601 Market Street Philadelphia, PA 19106-1797