

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AGENCE FRANCE PRESSE,)	
<i>Plaintiff and Counter Defendant</i>)	
)	
v.)	Civil Action No. 1:05CV00546 (GK)
)	Next Due Date: March 21, 2006
GOOGLE INC.,)	(Status Conference)
<i>Defendant and Counter Claimant</i>)	

GOOGLE’S RESPONSE TO AFP’S “STIPULATION”

Defendant/Counter Claimant Google Inc. (“Google”) was surprised to see that AFP captioned its recent filing as a “stipulation” instead of a consent motion. Google had agreed that unexpected difficulties in identifying sample infringements, at least as to photographs, required further negotiations between the parties (which are ongoing) and justified asking the Court to set a status conference for shortly after the July 4 holiday. But AFP’s characterizations of the facts were not agreed. Indeed, Google’s position is that, through a series of agreed adjustments, the necessary examples of headlines and leads have been identified. Rather than burden the Court now, however, Google suggests the parties submit memoranda prior to the status conference focusing on issues and facts that continue to require the Court’s attention.

June 9, 2006

Respectfully submitted,

/s/ Thomas W. Kirby
 Andrew G. McBride, Bar No. 426697
 Bruce G. Joseph, Bar No. 338236
 Thomas W. Kirby, Bar No. 915231
 Wiley Rein & Fielding LLP
 1776 K Street, N.W.
 Washington, D.C. 20006
 (202) 719-7000
 (202) 719-7049 (fax)

Counsel for Google Inc.