

Exhibit 3



February 8, 2012

VIA OVERNIGHT MAIL, FAX (202-326-2477)

AND EMAIL (wtom@ftc.gov)

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Re: Complaint and Request for Temporary Restraining Order and Preliminary Injunction Concerning *In the Matter of Google Inc., a Corporation*, FTC File No. 102 3136 (Consent Order issued Oct. 13, 2011)

Mr. Tom,

This afternoon, February 8, 2012, the Electronic Privacy Information Center ("EPIC") will file a lawsuit against the Federal Trade Commission.

EPIC will file the suit in the U.S. District Court for the District of Columbia. The suit arises from the Commission's failure to enforce the consent order concerning *In the Matter of Google Inc., a Corporation*, FTC File No. 102 3136 (Consent Order issued Oct. 13, 2011).

EPIC will seek a temporary restraining order and preliminary injunctive relief.

EPIC's claims are set forth in the enclosed Complaint, Motion for Temporary Restraining Order and Preliminary Injunction, and related documents.

Sincerely,

A handwritten signature in black ink, appearing to read "Marc Rotenberg". The signature is fluid and cursive, with a large, stylized "M" and "R".

Marc Rotenberg
EPIC President

cc: Chairman Jon Leibowitz (via overnight mail, fax, and email)
Commissioner J. Thomas Rosch (via overnight mail, fax, and email)
Commissioner Edith Ramirez (via overnight mail, fax, and email)
Commissioner Julie Brill (via overnight mail, fax, and email)