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IN THE UNITED STATES COURT OF FEDERAL CLAIMS
Bid Protest

GOOGLE, INC,)	
)	
and)	
)	
ONIX NETWORKING CORPORATION,)	Case No. 10-743C
)	
Plaintiffs,)	Judge Susan G. Braden
)	
v.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant,)	
)	
SOFTCHOICE CORPORATION,)	
)	
Intervenor.)	
)	

**SOFTCHOICE CORPORATION’S MOTION TO DISMISS
FOR LACK OF SUBJECT MATTER JURISDICTION**

Softchoice Corporation hereby moves, pursuant to Rule 12(b)(1) of the Rules of the U.S. Court of Federal Claims, to dismiss this lawsuit for lack of subject matter jurisdiction.

As shown in the accompanying memorandum, neither plaintiff qualifies as an “interested party” that can bring a bid protest under the Tucker Act, 28 U.S.C. § 14991(b)(1). Because both parties accordingly lack standing, this Court lacks subject matter jurisdiction, and the lawsuit should be dismissed.

Respectfully submitted,

s/ Steven J. Rosenbaum

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