

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

KLEIN & HEUCHAN, INC.,

Plaintiff,

v.

COSTAR REALTY INFORMATION, INC.,
and COSTAR GROUP, INC.,

*Defendants-Counterclaim
Plaintiffs,*

v.

SCOTT BELL and KLEIN & HEUCHAN,
INC.,

Counterclaim-Defendants.

Civil Action No. 8:08-cv-01227-JSM-EAJ

NOTICE OF PENDENCY OF RELATED ACTION

Defendants/Counterclaim Plaintiffs CoStar Realty Information, Inc., and CoStar Group, Inc. (collectively, “CoStar”) hereby give notice of the pendency of a related action, Case No. 8:09-cv-565-VMC-TGW (*CoStar Realty Information, Inc., et al. v. Klein & Heuchan, Inc., et al.*). The U.S. District Court for the District of Maryland transferred Case No. 8:09-cv-565 to this Court on the defendants’ motion to transfer venue. (Case No. 8:09-cv-565, D.E. 21, 22.)

The parties in both cases are the same. CoStar is the defendant and counterclaim plaintiff in Case No. 8:08-cv-1227, and is also the plaintiff in Case No. 8:09-cv-565. Klein & Heuchan, Inc. (“K&H”) is the plaintiff and a counterclaim defendant in Case No. 8:08-cv-1227 and a defendant in 8:09-cv-565. Scott Bell is a counterclaim defendant in Case No. 8:08-cv-1227 and a defendant in Case No. 8:09-cv-565.

Case No. 8:08-cv-1227 is a declaratory judgment action. Both cases arise out of CoStar's claims for copyright infringement, a violation of the Computer Fraud and Abuse Act (18 U.S.C. § 1030), and breach of contract. Case No. 8:08-cv-1227, D.E. 1 (Complaint) and D.E. 23 (Answer and Counterclaim); Case No. 8:09-cv-565, D.E. 1 (Complaint.)

Dated: May 28, 2009

Respectfully submitted,

s/William J. Sauers

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*Counsel for Defendants-Counterclaim Plaintiffs
CoStar Realty Information, Inc. and CoStar Group,
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CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on May 28, 2009, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which sent a notice of electronic filing to the following:

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I **FURTHER CERTIFY** that that on May 28, 2009, I sent a true and correct copy of the foregoing by electronic mail and first class mail to:

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