

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JONATHAN COBB,

Plaintiff,

v.

Case No. 1:08-CV-0483 (MHS)

GOOGLE INC. and
WORKFORCE LOGIC LLC,

Defendants.

GOOGLE INC.'S MOTION FOR PROTECTIVE ORDER

COMES NOW Defendant Google Inc. (“Google”) and, pursuant to Fed. R. Civ. P. 26(c), hereby respectfully moves for the entry of a protective order regarding further discovery in this matter.

This action concerns Plaintiff’s allegation that Google misappropriated his alleged idea for the program Google “Sky.” Google respectfully submits discovery should be narrowed at this time to the elements of Plaintiff’s misappropriation claim, as that claim is dispositive of the entire Amended Complaint. Google therefore moves for an order directing that:

1. Further discovery be stayed until Plaintiff has been deposed and he has described with “reasonable particularity” those ideas and concepts he contends Google has misappropriated; and
2. That discovery in this case thereafter be conducted in two phases:
 - a. A first phase limited to the issues of:
 - 1) the scope, content and distribution of Cobb’s idea;
 - 2) when Google first conceived and began development of Google Sky; and
 - 3) whether Cobb’s e-mails and postings to googlesky@googlegroups.com were discussed or considered by the Google team which created Sky.
 - b. At the end of this phase, Google can move for summary judgment. If summary judgment is denied, a second phase of relevant discovery can be conducted.

As further explained in Google’s supporting memorandum of law, submitted herewith, this narrowing of discovery to the dispositive issues raised by the Amended Complaint will promote judicial efficiency, save the parties unnecessary effort and expense, and prevent the needless disclosure of confidential information regarding Google’s development and implementation of its Sky program.

If the Court is amenable to this proposal, Google will work with Plaintiff to prepare an appropriate proposed amended Scheduling Order.

Respectfully submitted, this 7th day of October, 2008.

/s/ Eric P. Schroeder

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LR 7.1(D) CERTIFICATE OF FONT COMPLIANCE

I hereby certify that the foregoing has been prepared with one of the font and point selections approved by the Court in Rule 5.1(C) of the Civil Local Rules of Practice for the United States District Court for the Northern District of Georgia, specifically Times New Roman 14 pt.

/s/ Eric P. Schroeder

Eric P. Schroeder

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CERTIFICATE OF SERVICE

I hereby certify that on Tuesday, October 7, 2008, a copy of Defendant Google Inc.'s Motion for Protective Order was electronically filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to the following attorneys of record:

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/s/ Eric P. Schroeder
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