

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ew
FILED

MAR 2 2007

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

GOOGLE, INC.)
)
Plaintiff,)
)
vs.)
)
CENTRAL MFG, INC. a/k/a)
CENTRAL MFG. CO., a/k/a)
CENTRAL MFG. CO.(INC).,)
a/k/a CENTRAL MANUFACTURING)
COMPANY, INC. and a/k/a)
CENTRAL MFG. CO. OF ILLINOIS;)
and STEALTH INDUSTRIES, INC.)
a/k/a RENTAMARK and a/k/a)
RENTAMARK.COM,)
)
Defendants.)

Case No: 07-CV-385

Hon. Virginia M. Kendall

Magistrate Judge Cole

**MOTION TO DISMISS FOR FAILURE TO
JOIN A PARTY UNDER RULE F.R.C.P. 19**

NOW COMES Leo Stoller and moves this Court to dismiss this action for failure to join a party (Leo Stoller) under F.R.C.P. 19.

Fed. R. Civ. P. 19 makes applicable to this proceeding the requirement of a joinder of Leo Stoller as a party without whom complete relief cannot be accorded among those already parties, or that claims an interest relating to the subject of the Google civil RICO action are so situated that the disposition of the said action in Leo Stoller's absence may (i) as a practical matter impair or impede Leo Stoller's ability to protect that interest or (ii) leave any of the entities already parties subject to substantial risk or incurring double, multiple, or otherwise inconsistent obligations by reason of the claimed interest. Fed. R. Civ. P. 19.

All of the foregoing conditions have been met and the Court should have joined Leo Stoller as a party to this litigation. See *Thomas v. U.S.*, 189 F.3d 662, 667 (7th Cir. 1999).

See Stoller's Reply to Google's Combined Opposition, et al., which is incorporated herein and made a part hereof as if fully copied and attached. Stoller realleges and reaffirms the arguments contained therein which are made a part hereof.

WHEREFORE, Leo Stoller prays that this Court dismiss this action for failure to join Leo Stoller under Federal Rule 19 with prejudice.



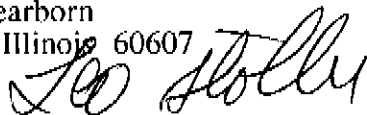
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Date: March 2, 2007

Certificate of Mailing

I hereby certify that this motion is being hand-delivered in an envelope addressed to:

Clerk of the Court
United States District Court
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Leo Stoller
Date: March 2, 2007

Certificate of Service

I hereby certify that the foregoing is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to:

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Date: 3-2-07