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

**FILED**

MAR 28 2007

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

Appeal No: 07-1651

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  
 Appeal from the U.S. District  
 Court for the Northern District  
 Eastern Division  
 Orders by Virginia M. Kendall  
 Dated 3/5/2007, 3/12/2007  
 and 3/16/2007

**DESIGNATION OF ADDITIONAL CONTENT OF THE RECORD ON APPEAL**

NOW COMES Leo Stoller and identifies the record for appeal which consists of the transcripts of the hearings on March 13 and March 19, 2007. Copies of the transcripts are attached hereto. The record for appeal also consists of the following motions, docket report and transcript:

- 1) Motion To Suspend (Docket No. 11).
- 2) Motion To Intervene (Docket No. 16).
- 3) Motion To Interplead (Docket No. 8).
- 4) Motion To Suspend Pending The Appeal To Lift The Automatic Stay For Google Inc. To Sue The Debtor Leo Stoller (Docket No. 9).
- 5) Motion To Suspend Pending The Trademark Trial And Appeal Board's Decision On The Defendant's Motion For Summary Judgment (Docket No. 10).
- 6) All documents listed on the attached U.S. District Court Docket Report
- 7) Transcript of Proceedings Before The Honorable Virginia M. Kendall Dated February 20, 2007



Leo Stoller  
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Date: March 28, 2007

**Certificate of Mailing**

I hereby certify that the foregoing is being hand-delivered to the following address:

Clerk of the Court  
United States Bankruptcy Court  
219 South Dearborn  
Chicago, IL 60607



Leo Stoller  
Date: March 28, 2007

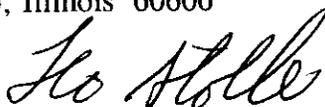
**Certificate of Service**

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

Richard M. Fogel, Trustee  
Janice A. Alwin, Esq.  
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Leo Stoller  
Date: 3-28-07

APPEAL, COLE, TERMED

**United States District Court  
Northern District of Illinois - CM/ECF LIVE Ver 3.0 (Chicago)  
CIVIL DOCKET FOR CASE #: 1:07-cv-00385**

Google Inc v. Central Mfg. Inc. et al  
Assigned to: Honorable Virginia M. Kendall  
Case in other court: 07-01612  
07-01651  
Cause: 18:1961 Racketeering (RICO) Act

Date Filed: 01/19/2007  
Date Terminated: 03/15/2007  
Jury Demand: None  
Nature of Suit: 470 Racketeer/Corrupt  
Organization  
Jurisdiction: Federal Question

**Plaintiff**

**Google Inc**

represented by **Michael Thomas Zeller**  
Quinn Emanuel Urquhart & Oliver,  
LLP  
865 South Figueroa Street  
10th Floor  
Los Angeles, CA 90017  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**William John Barrett**  
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Perlman & Nagelberg  
333 West Wacker Drive  
Suite 2700  
Chicago, IL 60606  
(312) 984-3100  
Email: william.barrett@bfkpn.com  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Central Mfg. Inc.**  
*also known as*  
Central Mfg Co  
*also known as*  
Central Mfg Co. (Inc.)  
*also known as*  
Central Manufacturing Company, Inc.  
*also known as*  
Central Mfg. Co. of Illinois

**Defendant**

**Stealth Industries, Inc.**

*also known as*  
 Rentamark  
*also known as*  
 Rentamark.Com

**Defendant**

**Central Mfg. Inc. and Stealth Industries, by and through Richard M. Fogel, not individually but as Chapter 7 Trustee**

**Movant**

**Leo Stoller**

represented by **Leo Stoller**  
 7115 W. North Avenue  
 Oak Park, IL 60302  
 PRO SE

V.

**Trustee**

**Richard M. Fogel, not individually, but as chapter 7 trustee of the bankruptcy estate of Leo Stoller**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
01/19/2007	1	COMPLAINT filed by Google Inc; (eav, ) (Entered: 01/22/2007)
01/19/2007	2	CIVIL Cover Sheet (eav, ) (Entered: 01/22/2007)
01/19/2007	3	ATTORNEY Appearance for Plaintiff Google Inc by Michael Thomas Zeller (eav, ) (Entered: 01/22/2007)
01/19/2007	4	ATTORNEY Appearance for Plaintiff Google Inc by William John Barrett (eav, ) (Entered: 01/22/2007)
01/19/2007	5	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Google Inc (eav, ) (Entered: 01/22/2007)
01/19/2007	7	SUMMONS Issued as to Defendant Central Mfg. Inc. (eav, ) (Entered: 01/22/2007)
01/30/2007	8	MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc. to interplead (Exhibits) (eav, ) Additional attachment(s) added on 1/31/2007 (eav, ). (Entered: 01/31/2007)
01/30/2007	9	MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc. to suspend pending the Appeal to lift the automatic stay for Google to sue the debtor Leo Stoller (Exhibits) (eav, ) (Entered: 01/31/2007)

01/30/2007	10	MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc. to suspend pending the Trademark trial and Appeal Board's decision on the defendant's motion for summary judgment (eav, ) (Entered: 01/31/2007)
01/30/2007	11	MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc. to suspend (eav, ) (Entered: 01/31/2007)
01/30/2007	12	NOTICE of Motion by Stealth Industries, Inc., Central Mfg. Inc. for presentment of motion to Interplead 9, motion to Suspend 10, motion to Suspend pending Appeal to lift automatic stay for Google to sue the Debtor, Leo Stoller, and 11, motion to suspend pending the Trademark Trial and Appeal Board's Decision on the defendant's motion for summary judgment 8 before Honorable Virginia M. Kendall on 2/5/2007 at 9:00 AM. (eav, ) (Entered: 01/31/2007)
01/30/2007	13	PRO SE Appearance by Leo Stolla (eav, ) (Entered: 02/01/2007)
02/05/2007	15	MINUTE entry before Judge Virginia M. Kendall :Motion hearing held. Motion to interplead 8; Motion to suspend pending the Appeal to lift the automatic stay for Google to sue the debtor Leo Stoller 9; Motion to suspend pending the Trademark trial and Appeal Board's decision on the defendant's motion for summary judgment 10; and Motion to suspend 11 are entered and continued to 2/20/2007 at 9:00 AM. Responses due by 2/12/2007. No replies are necessary.Mailed notice (gmr, ) (Entered: 02/06/2007)
02/06/2007	14	SUMMONS Returned Executed by Google Inc as to Stealth Industries, Inc. on 1/23/2007, answer due 2/12/2007; Central Mfg. Inc. on 1/23/2007, answer due 2/12/2007. (Barrett, William) (Entered: 02/06/2007)
02/06/2007	16	MOTION by Leo Stolla to intervene (eav, ) (Entered: 02/07/2007)
02/06/2007	17	NOTICE of Motion by Leo Stolla for motion to intervene 16 before Honorable Virginia M. Kendall on 2/12/2007 at 9:00 AM. (eav, ) (Entered: 02/07/2007)
02/07/2007	18	MINUTE entry before Judge Virginia M. Kendall :Motion to intervene 16 is entered and continued to 2/20/2007 at 09:00 AM. Any response shall be filed by 2/12/2007. No reply is necessary. The presentment date of 2/12/2007 for said motion is hereby stricken.Mailed notice (gmr, ) (Entered: 02/07/2007)
02/12/2007	19	RESPONSE by Richard M. Fogel, not individually, but as chapter 7 trustee of the bankruptcy estate of Leo Stollerin Opposition to MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.suspend10, MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.interplead8, MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.to suspend9, MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.to suspend11, MOTION by Plaintiff Leo Stolla to intervene16 and Joinder to Responses of Google Inc. (Alwin, Janice) (Entered: 02/12/2007)

02/12/2007	20	RESPONSE by Google Incin Opposition to MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.interplead <sup>8</sup> , MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.to suspend <sup>9</sup> , MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.to suspend <sup>11</sup> , MOTION by Plaintiff Leo Stolla to intervene <sup>16</sup> (Barrett, William) (Entered: 02/12/2007)
02/12/2007	21	RESPONSE by Google Incin Opposition to MOTION by Defendants Stealth Industries, Inc., Central Mfg. Inc.suspend <sup>10</sup> (Barrett, William) (Entered: 02/12/2007)
02/12/2007	22	DECLARATION of Michael T. Zeller regarding response in opposition to motion <sup>21</sup> , response in opposition to motion, 20 by Google Inc (Attachments: # 1 Exhibit 1# 2 Exhibit 2# 3 Exhibit 3# 4 Exhibit 4# 5 Exhibit 5# 6 Exhibit 6# 7 Exhibit 7# 8 Exhibit 8# 9 Exhibit 9# 10 Exhibit 10# 11 Exhibit 11# 12 Exhibit 12# 13 Exhibit 13# 14 Exhibit 14# 15 Exhibit 15# 16 Exhibit 16# 17 Exhibit 17# 18 Exhibit 18# 19 Exhibit 19# 20 Exhibit 20# 21 Exhibit 21# 22 Exhibit 22# 23 Exhibit 23# 24 Exhibit 24# 25 Exhibit 25# 26 Exhibit 26# 27 Exhibit 27# 28 Exhibit 28# 29 Exhibit 29# 30 Exhibit 30)(Barrett, William) (Entered: 02/12/2007)
02/12/2007	23	MOTION by Plaintiff Google Inc for permanent injunction ( <i>Stipulated</i> ), MOTION by Plaintiff Google Inc for judgment ( <i>Final</i> ) (Barrett, William) (Entered: 02/12/2007)
02/12/2007	24	NOTICE of Motion by William John Barrett for presentment of motion for permanent injunction, motion for judgment <sup>23</sup> before Honorable Virginia M. Kendall on 2/20/2007 at 09:00 AM. (Barrett, William) (Entered: 02/12/2007)
02/13/2007	25	SUPPLEMENT by Google Inc to declaration,, <sup>22</sup> <i>Supplemental Declaration of Michael T. Zeller</i> (Barrett, William) (Entered: 02/13/2007)
02/13/2007	26	CERTIFICATE by Google Inc of Service of the Permanent Injunction and Final Judgment as to Defendants Central Mfg. Inc. and Stealth Industries, Inc.(Proposed Order) (Barrett, William) (Entered: 02/13/2007)
02/13/2007	27	MEMORANDUM by Google Inc in support of motion for permanent injunction, motion for judgment <sup>23</sup> <i>Google Inc.'s Separate Memorandum in Support of Joint Motion for Entry of Stipulated Permanent Injunction and Final Judgment</i> (Barrett, William) (Entered: 02/13/2007)
02/15/2007	28	Notice of Filing Supplemental Authority by Leo Stolla ; Notice of filing (eav, ) (Entered: 02/20/2007)
02/16/2007	30	OBJECTION by Leo Stoller to Joint Moiton for Entry of Stipulated Permanent Inj <sup>8</sup> unction and Final Judgment; Notice of filing (Exhibits) (eav, ) (Entered: 02/21/2007)
02/20/2007	29	MINUTE entry before Judge Virginia M. Kendall :Motion hearing held. All pending motions are taken under advisement, with a ruling by mail. Status hearing set for 3/13/2007 at 09:00 AM.Mailed notice (gmr. )

		(Entered: 02/20/2007)
02/22/2007	31	REPLY by Defendant Leo Stolla to Trustee's Ominibus response in opposition to motions of debtor Leo Stoller to: (I) Intevene; (II) Interplead; (III) Suspend proceeding for sixty days to retain counsel, for defendants; (IV) Suspend pending appeal to lift automactic stay for Google to sue the debtor; and (V) Suspend pending trademark trial and appeal Board's decision for defendants' motion for summary judgment and joinder of responses by Google, Inc.; Notice of filing (eav, ) (Entered: 02/26/2007)
03/02/2007	32	MOTION by Defendant Leo Stolla to dismiss for failure to join a party under Rule F.R.C.P. 19 (eav, ) (Entered: 03/05/2007)
03/02/2007	33	NOTICE of Motion by Leo Stolla for presentment of motion to dismiss32 before Honorable Virginia M. Kendall on 3/7/2007 at 09:00 AM. (eav, ) (Entered: 03/05/2007)
03/02/2007	35	REPLY by Defendant Leo Stolla to Google Inc.'s combined opposition to debtor Leo Stoller's motions (1) to intervene, (2) to interplead, (3) to suspend for sixty days to retain counsel for defendants and (4) to suspend pending appeal to lift automatic stay for Google to sue the debtor : Notice of filing (eav, ) (Entered: 03/06/2007)
03/02/2007	36	REPLY by Movant Leo Stoller to Google Inc.'s opposition to debtor Leo Stoller's motion to suspend pending the trademark trial and appeal board's decision on defendant's motion for summary judgment 21 (Exhibits); Notice. (smm) (Entered: 03/08/2007)
03/05/2007	34	MINUTE entry before Judge Virginia M. Kendall :On March 2, 2007, Leo Stoller ("Stoller") filed a Motion to Dismiss for failure to join a party -- himself -- pursuant to Fed. R. Civ. P. 19. Stoller previously filed a motion to intervene in this action on February 6, 2007. The Court has not yet ruled upon that motion. As such, Stoller remains a non-party and lacks standing to file a motion pursuant to Rule 19. See Arrow v. Gambler's Supply, Inc., 55 F.3d 407, 409 (8th Cir. 1995) ("only a party may make a Rule 19 motion") (citing Thompson v. Boggs, 33 F.3d 847, 858 n. 10 (7th Cir. 1994) (noting lack of any precedent for granting a non-party's motion for joinder)). Accordingly, Stoller's Motion to Dismiss 32 is stricken and the parties need not appear on March 7, 2007.Mailed notice (gmr, ) (Entered: 03/05/2007)
03/12/2007	37	MINUTE entry before Judge Virginia M. Kendall :For the reasons set out in the Memorandum Opinion and Order, Motion to intervene 16 is denied; Motion to interplead 8 is denied; and Motions to suspend 9, 10, 11 are denied.Mailed notice (eav, ) (Entered: 03/13/2007)
03/12/2007	38	MEMORANDUM Opinion and Order Signed by Judge Virginia M. Kendall on 3/12/2007:Mailed notice(eav, ) (Entered: 03/13/2007)
03/13/2007	39	NOTICE of appeal by Leo Stoller regarding orders 37, 38 ; Notice of Filing (Fee Due) (dj, ) (Entered: 03/15/2007)

03/15/2007	40	TRANSMITTED to the 7th Circuit the short record on 3/15/07 notice of appeal <sup>39</sup> . Notified counsel (dj, ) (Entered: 03/15/2007)
03/15/2007	41	MOTION by Movant Leo Stoller for leave to appeal in forma pauperis (eav, ) (Entered: 03/16/2007)
03/15/2007	42	NOTICE of Motion by Leo Stoller for presentment of motion for leave to appeal in forma pauperis <sup>41</sup> before Honorable Virginia M. Kendall on 3/19/2007 at 09:00 AM. (eav, ) (Entered: 03/16/2007)
03/15/2007	43	MOTION by Movant Leo Stoller under FRCP 59 and/or 60 (Exhibits) (eav, ) (Entered: 03/16/2007)
03/15/2007	44	NOTICE of Motion by Leo Stoller for presentment of under FRCP 59 and/or 60 <sup>43</sup> before Honorable Virginia M. Kendall on 3/19/2007 at 09:00 AM. (eav, ) (Entered: 03/16/2007)
03/15/2007	45	NOTICE by Leo Stoller of filing motion for leave to appeal in forma pauperis <sup>41</sup> (eav, ) (Entered: 03/16/2007)
03/15/2007	54	ACKNOWLEDGEMENT of receipt of short record on appeal regarding notice of appeal <sup>39</sup> ; USCA Case No. 07-1569. (smm) (Entered: 03/20/2007)
03/15/2007	55	CIRCUIT Rule 3(b) Notice. (smm) (Entered: 03/20/2007)
03/15/2007	57	MINUTE entry before Judge Virginia M. Kendall :Joint motion for entry of stipulated permanent injunction and final judgment <sup>23</sup> is granted. Enter permanent injunction and final judgment as to defendants Central Mfg., Inc. and Stealth Industries, Inc.Mailed notice Civil case terminated (eav, ) (Entered: 03/20/2007)
03/15/2007	58	PERMANENT INJUNCTION and Final Judgment as to defendants Central Mfg., Inc. and Stealth Industries, Inc. Signed by Judge Virginia M. Kendall on 3/15/2007:Mailed notice(eav, ) (Entered: 03/20/2007)
03/16/2007	46	MINUTE entry before Judge Virginia M. Kendall :For the reasons stated below, Movant Stoller's motion to reconsider <sup>43</sup> is denied. The presentment date of 3/19/2007 for said motion is hereby stricken.Mailed notice (gmr, ) Additional attachment(s) added on 3/16/2007 (gmr, ). (Entered: 03/16/2007)
03/16/2007	47	RESPONSE by Google Incin Opposition to MOTION by Movant Leo Stoller for leave to appeal in forma pauperis <sup>41</sup> (Barrett, William) (Entered: 03/16/2007)
03/16/2007	48	NOTICE by Google Inc re response in opposition to motion <sup>47</sup> <i>Notice of Filing</i> (Barrett, William) (Entered: 03/16/2007)
03/16/2007	49	DECLARATION of Michael T. Zeller regarding response in opposition to motion <sup>47</sup> by Google Inc (Attachments: # 1 Exhibit A-G# 2 Exhibit H-J)(Barrett, William) (Entered: 03/16/2007)
03/16/2007	50	NOTICE by Google Inc re declaration <sup>49</sup> <i>Notice of Filing</i> (Barrett, William) (Entered: 03/16/2007)

03/19/2007	51	SUPPLEMENTAL NOTICE of appeal by Leo Stoller regarding orders 46, 34 ;(Fee Due) (dj, ) (Entered: 03/20/2007)
03/19/2007	52	DESIGNATION by Leo Stoller of the content of the record on appeal : USCA Case No. 07-1569 (dj, ) (Entered: 03/20/2007)
03/19/2007	56	MINUTE entry before Judge Virginia M. Kendall :Motion hearing held on 3/19/2007. For the reasons stated on the record in open court, movant Stoller's motion for permission to appeal in forma pauperis 41 is granted.Mailed notice (eav, ) (Entered: 03/20/2007)
03/19/2007	60	REPLY by Movant Leo Stoller to Google's opposition to motion for permission to appeal in forma pauperis (eav, ) (Entered: 03/22/2007)
03/20/2007	53	TRANSMITTED to the 7th Circuit the short record on 3/20/07 notice of appeal51. Notified counsel (dj, ) (Entered: 03/20/2007)
03/20/2007	61	ACKNOWLEDGEMENT of receipt of short record on appeal regarding notice of appeal39 ; USCA Case No. 07-1612. (rp, ) (Entered: 03/23/2007)
03/20/2007	62	CIRCUIT Rule 3(b) Notice. (rp, ) (Entered: 03/23/2007)
03/21/2007	60	TRANSCRIPT of proceedings for the following dates: 2/5/07, 3/13/07 and 3/19/07; Before the Honorable Virginia M. Kendall (3 volumes) (eav, ) (Entered: 03/22/2007)
03/21/2007	63	SUPPLEMENTAL NOTICE of appeal by Leo Stoller regarding orders 58, 57 ; (Fee Due) (dj, ). (Entered: 03/23/2007)
03/23/2007	64	TRANSMITTED to the 7th Circuit the short record on 3/23/07 notice of appeal63. Notified counsel (dj, ) (Entered: 03/23/2007)
03/23/2007	65	ACKNOWLEDGEMENT of receipt of short record on appeal regarding notice of appeal63 ; USCA Case No. 07-1651. (smm) (Entered: 03/27/2007)
03/23/2007	66	CIRCUIT Rule 3(b) Notice. (smm) (Entered: 03/27/2007)

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03/28/2007 10:23:36			
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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:07-cv-00385
<b>Billable Pages:</b>	4	<b>Cost:</b>	0.32