

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**JOHN E. REDSTONE, KARL H.
SCHULZ, and DEAN M. BASTILLA,
individually, and on behalf of all others
similarly situated,**

Plaintiffs,

vs.

GOOGLE INC.

Defendant.

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) **CIVIL NO. 3:10-cv-00400-JPG-DGW**
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)

) **CLASS ACTION**
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)

JOINT MOTION TO STAY PRETRIAL DEADLINES

Plaintiffs and Defendant, Google Inc., by and through their respective counsel, have conferred and jointly move the Court for an Order to stay all case scheduling deadlines as detailed in this motion. In support of this Motion, the parties state as follows:

1. On May 28, 2010, Plaintiffs instituted this action by filing a putative class action complaint which alleges that Google violated the federal Wiretap Act, 18 U.S.C. § 2510 et seq., by allegedly using its “Street View” vehicles to receive electronic data being transmitted over open wireless (“Wi-Fi”) Internet connections. Seven other cases were filed in five federal judicial districts which also allege that Google violated the federal Wiretap Act, among other laws, by allegedly using its Street View vehicles to receive data being transmitted over open Wi-Fi connections (“Google Wi-Fi Cases”). Google is the sole defendant in all of the Google Wi-Fi Cases.

2. On June 14, 2010, plaintiffs in the case *Keyes v. Google Inc.*, No. 1:10-cv-0896-JDB (D.D.C.), pursuant to 28 U.S.C. § 1407, moved the United States Judicial Panel on Multidistrict Litigation (“JPML” or “Panel”) for an order transferring the Google Wi-Fi Cases, as

well as all subsequently filed related actions, to the United States District Court for the District of Columbia for coordinated or consolidated pretrial proceedings. The *Keyes* plaintiffs' motion for transfer of actions and for coordinated or consolidated pretrial proceedings remains pending before the JPML.

3. Google agrees with the *Keyes* plaintiffs that the cases should be consolidated but will ask the Panel to transfer the Google Wi-Fi Cases, as well as all subsequently filed related actions, to the United States District Court for the Northern District of California for coordinated or consolidated pretrial proceedings.

WHEREFORE, in consideration of the foregoing, Plaintiffs and Google Inc. agree and jointly move the Court for an Order directing as follows:

a. All pretrial deadlines shall be stayed pending the JPML's resolution of whether the Google Wi-Fi cases, and all subsequently filed related actions, should be transferred to a single judicial district for coordinated or consolidated pretrial proceedings;

b. In the event that the JPML denies transfer of the Google Wi-Fi cases, and all subsequently-filed related actions, to a single judicial district for coordinated or consolidated pretrial proceedings, Google shall have thirty days from the date of the order denying transfer to plead, answer, move, or otherwise respond to Plaintiffs' class action complaint; and

c. In the event that the JPML orders the transfer of the Google Wi-Fi cases, and all subsequently filed related actions, to a single judicial district for coordinated or consolidated pretrial proceedings, Google shall plead, answer, move, or otherwise respond to Plaintiffs' class action complaint within thirty days from (a) the date that plaintiffs file a master consolidated complaint in the transferee district or (b) the date that it is resolved by the transferee court and/or counsel for plaintiffs and Google that no master consolidated complaint will be filed.

DATED: July 16, 2010

By: /s/ Stephen A. Swedlow (w/ consent)

By: /s/ Jade R. Lambert

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CERTIFICATE OF SERVICE

I hereby certify this 16th day of July, 2010 that I will electronically file the foregoing with the Clerk of Court using the Court's CM/ECF system, which will then send a notification of such filing to the following:

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By /s/ Jade R. Lambert
One of the attorneys for Google Inc.