

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GALAXY INTERNET SERVICES, INC.,) on behalf of themselves, their customers,) and all others similarly situated within the) Commonwealth of Massachusetts,) <div style="text-align: right;">Plaintiffs,)</div>)	CIVIL ACTION NO. 1:10 10871WGY
v.))	
GOOGLE INC.,))	
Defendant.))	

MEMORANDUM IN SUPPORT OF DEFENDANT’S ASSENTED-TO
MOTION TO EXTEND TIME TO RESPOND TO PLAINTIFF’S COMPLAINT

A pleading responsive to the complaint in this case is due on Tuesday, June 15, 2010, the complaint having been served on defendant Google Inc. (“Google”) on May 25, 2010. For the following reasons, with the plaintiffs’ assent, Google now seeks a 14 day extension of the deadline to file a responsive pleading.

1. At least nine other cases similar to this one are now pending in at least five other federal judicial districts. On June 8, 2010, Google filed a motion with the Judicial Panel on Multidistrict Litigation (the “MDL Panel”) requesting consolidation of this action and all of the others in the United States District Court for the Northern District of California. Google notified this Court of that motion on June 10, 2010, with explanatory exhibits. Although the MDL Panel will not rule on the motion until at least late July, Google is working with plaintiffs in the various cases to avoid unnecessarily duplicative efforts in the meantime.

3. The plaintiffs served their complaint on Google at its Cambridge, Massachusetts, facility. Google’s in-house legal department and its principal outside

counsel for this matter are headquartered on the west coast, and the undersigned were not engaged as counsel in this case until Wednesday, June 9, 2010.

4. No other motions are pending in this action and the plaintiff will suffer no prejudice if Google's motion for an extension of time is allowed. Plaintiff's counsel has assented to the motion. During the next two weeks, defendant will attempt to work out an agreed schedule with plaintiff and, failing that, may need to seek an extension or stay from the Court.

GOOGLE INC.,
By its attorneys,

/s/ James B. Conroy
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Dated: June 14, 2010

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing. The ECF system presently indicates that there are no non-registered participants.

/s/ James B. Conroy
James B. Conroy