

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED

2004 DEC -3 P 1:04

NET JUMPER, L.L.C.
a Michigan limited liability corporation,

Plaintiff,

Civil Action No. 04-70366-CV
Hon. Julian Abele Cook

v.

Magistrate Judge R. Steven Whalen

GOOGLE INC.,
a California corporation

Defendant.

Andrew Kochanowski
Sommers, Schwartz, Silver & Schwartz, P.C.
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Southfield, MI 48075

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Redwood City, CA 94063

Attorneys for Google Inc.

STIPULATION ON DISCOVERY MATTERS

Whereas, Plaintiff NetJumper, L.L.C. ("NetJumper") filed this action for patent infringement against Defendant Google Inc. ("Google") concerning U.S. Patent No. 5,890,172 (the '172 patent) and U.S. Patent No. 6,226,655 (the '655 patent), each patent naming multiple inventors, including foreign nationals and/or residents, which, on information and belief, were employed at the time of alleged invention by HCL Consulting and/or HCL Technologies Ltd., a foreign corporation, such named inventors including:

1. Rajat Bhatnagar, believed to be a citizen of India, whose last known address is in Stamford, Connecticut;
2. Arul Sebastian, believed to a citizen of India, whose last known address is in Chennai, India;
3. Anup Mathur, believed to be a citizen of India, whose last known address is in Sunnyvale, California;
4. Vinay Wadhwa, believed to be a citizen of India, whose last known address is in New Dchli, India;
5. C. Vinay Kumar Singh, believed to be a citizen of India, whose last known address is in Guaragon, India; and
6. Mukesh Kumar, believed to be a citizen of India, whose last known address is in New Dchli, India.

Whereas, Google seeks discovery concerning the patents-in-suit, including discovery from the named inventors of the patents-in-suit and their respective employers.

Whereas, Google has filed trademark and related counterclaims against NetJumper, and, on information and belief, discoverable information related to the same is held by, Tucows Inc., a foreign corporation.

NetJumper and Google (the "Parties"), by and through their respective counsel of record, HEREBY STIPULATE AS FOLLOWS:

1. The Parties agree that Google may seek discovery from the foreign witnesses identified above, including document production and depositions, and the Court may issue orders concerning the same.
2. Google shall provide periodic status reports, in the form of a letter to the Court and opposing counsel, on the progress of this discovery. The first report shall be provided August 2, 2004, with reports to follow the first Court day of every second month thereafter.
3. The Parties agree that all objections as to the scope, admissibility, and otherwise of any discovery sought or information obtained are preserved.

Dated: December 2, 2004

SOMMERS, SCHWARTZ, SILVER &
SCHWARTZ, P.C.

By: Andrew Kochowski by LP
Andrew Kochanowski *w/ permission attached*

Attorneys for Plaintiff
NETJUMPER, L.L.C.

Dated: December 2, 2004

DICKINSON WRIGHT PLLC.

By: J. Pahl Zinn
L. Pahl Zinn

Attorneys for Defendant
GOOGLE INC.

#845379 v1 - StipulationDiscoveryMatters

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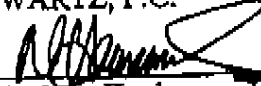
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Dated: November 15, 2004

SOMMERS, SCHWARTZ, SILVER &
SCHWARTZ, P.C.

By:  per Andrew Kochanowski
Andrew Kochanowski

Attorneys for Plaintiff
NETJUMPER, L.L.C.

Dated: November 15, 2004

DICKINSON WRIGHT PLLC.

By: _____
L. Pahl Zinn

Attorneys for Defendant
GOOGLE INC.

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