

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

GOOGLE, INC.,)	
)	
Plaintiff,)	Civil Action No. 4:09-CV-01243-PCE
)	
v.)	JUDGE PETER C. ECONOMUS
)	
EMSAT ADVANCED GEO-LOCATION)	
TECHNOLOGY, LLC and LOCATION)	
BASED SERVICES LLC,)	
)	
Defendants.)	

**DEFENDANTS’ MOTION TO DISMISS PURSUANT TO
FEDERAL RULE OF CIVIL PROCEDURE 12(b)(1)**

Defendants Emsat Advanced Geo-Location Technology, LLC and Location Based Services LLC, pursuant to Fed. R. Civ. P. 12(b)(1), and in accord with 28 U.S.C. § 2201(a), hereby move this Court to exercise its unique and substantial discretion and decline to hear Google’s declaratory judgment action, which raises issues identical to those currently being litigated by T-Mobile before Judge Adams.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on July 31, 2009, a copy of the foregoing was filed electronically.
Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.
Parties may access this filing through the Court's system.

/s/ R. Eric Gaum
One of the Attorneys for Defendants
Emsat Advanced Geo-Location Technology,
LLC and Location Based Services LLC