

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**FPX, LLC, (d.b.a. FIREPOND),
Individually and on Behalf of All Others
Similarly Situated,**

Plaintiff,

v.

- (1) GOOGLE, INC.;**
- (2) YOUTUBE, LLC;**
- (3) AOL, LLC;**
- (4) TURNER BROADCASTING
SYSTEM, INC.;**
- (5) MYSPACE, INC., and**
- (6) IAC/INTERACTIVECORP**

Defendants.

**Civil Action No. 2:09-cv-00142-TJW
CLASS ACTION COMPLAINT**

JURY TRIAL REQUESTED

**THE RODNEY A. HAMILTON LIVING
TRUST and JOHN BECK AMAZING
PROFITS, LLC, Individually and on
Behalf of All Others Similarly Situated,**

Plaintiffs,

v.

- (1) GOOGLE, INC.; AND**
- (2) AOL, LLC**

Defendants.

Civil Action No. 2:09-cv-00151-TJW-CE

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

NOTICE OF APPEARANCE OF ADDITIONAL COUNSEL

The following attorneys hereby enter an appearance in this matter as additional counsel for Plaintiff FPX, LLC d/b/a Firepond, for the purpose of receiving all papers, including notices and orders, electronic and otherwise, from the Court.

David P. Whittlesey
Texas State Bar No. 00791920
ANDREWS KURTH LLP
111 Congress Avenue, Suite 1700
Austin, Texas 78701
Telephone: (512) 320-9330
Facsimile: (512) 320-9292
Email: dwhittlesey@andrewskurth.com

Ronald Casey Low
Texas State Bar No. 24041363
ANDREWS KURTH LLP
111 Congress, Suite 1700
Austin, Texas 78701
Telephone: (512) 320-9213
Facsimile: (512) 320-9292
Email: caseylo@andrewskurth.com

Dated: April 23, 2010

Respectfully submitted,

By: /s/ David P. Whittlesey
David P. Whittlesey
Texas State Bar No. 00791920
E-mail: dwhittlesey@andrewskurth.com
Ronald Casey Low
Texas State Bar No. 24041363
E-mail: caseylo@andrewskurth.com
ANDREWS KURTH LLP
111 Congress Avenue, Suite 1700
Austin, Texas 78701
Telephone: (512) 320-9330
Facsimile: (512) 320-9292

Larry C. Russ, CA Bar No. 082760
E-mail: lruss@raklaw.com
Marc A. Fenster, CA Bar No. 181067
E-mail: mfenster@raklaw.com
Raquel Vallejo, CA Bar No. 186667
E-mail: rvallejo@raklaw.com
RUSS, AUGUST & KABAT
12424 Wilshire Boulevard 12th Floor
Los Angeles, California 90025
Telephone: 310/826-7474
Facsimile: 310/826-6991

Scott M. Kline – LEAD COUNSEL
TX Bar No. 11573100
E-mail: scottkline@andrewskurth.com
ANDREWS KURTH LLP
1711 Main Street, Suite 3700
Dallas, Texas 75201
Telephone: 214/659-4400
Facsimile: 214/659-4401

Kip Glasscock, TX Bar No. 08211000
E-mail: kipglasscock@hotmail.com
KIP GLASSCOCK, P.C.
550 Fannin, Suite 1350
Beaumont, Texas 77701
Telephone: 409/833-8822
Facsimile: 409/838-4666

David M. Pridham, RI Bar No. 6625
E-mail: david@pridhamiplaw.com
LAW OFFICE OF DAVID PRIDHAM
25 Linden Road
Barrington, Rhode Island 02806
Telephone: 401/633-7247
Facsimile: 401/633-7247

Andrew W. Spangler , TX Bar No. 24041960
E-mail: spangler@spanglerlawpc.com
SPANGLER LAW P.C.
208 N. Green Street, Suite 300
Longview, Texas 75601
Telephone: 903/753-9300
Facsimile: 903/553-0403

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served on the 23rd day of April, 2010 with a copy of this document via the Court’s CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

<p>Charles L. “Chip” Babcock Email: cbabcock@jw.com David T. Moran Email: dmoran@jw.com Carl C. Butzer Email: cbutzer@jw.com Shannon Zmud Teicher Email: steicher@jw.com JACKSON WALKER L.L.P. 901 Main Street, Suite 6000 Dallas, Texas 75202 214/953-6030 214/953-5822 – Fax</p>	<p>Attorneys for Defendants: Google Inc; YouTube, LLC; AOL, LLC; Turner Broadcasting System, Inc.; Myspace, Inc.; and IAC/Interactivecorp</p>
<p>Donald C Templin Email: don.templin@haynesboone.com Haynes & Boone – Dallas 2323 Victory Avenue Suite 700 Dallas , TX 75219 214/651-5590 214/200-0593 – Fax</p>	<p>Attorney for Defendants: AOL, LLC; and Turner Broadcasting System, Inc.</p>

Dated: April 23, 2010

/s/ David P. Whittlesey
David P. Whittlesey