

**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**

**UNOPPOSED MOTION TO WITHDRAW AS COUNSEL**

All Plaintiffs in the above-captioned matters move this court for an order permitting the withdrawal of David P. Whittlesey and Ronald Casey Low of Andrews Kurth LLP from representation of Plaintiffs in these actions. Plaintiffs' other counsel remain of record.

No parties oppose the withdrawal, and the withdrawal of David P. Whittlesey and Ronald Casey Low will not have a materially adverse effect on Plaintiffs as they are still represented by competent counsel who are fully capable of representing their interests. The Defendants are unopposed to this motion.

Additionally, it is requested that David P. Whittlesey and Ronald Casey Low no longer receive CM/ECF notices for these actions.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs request this Court to grant the Motion to Withdraw.

Dated: November 3, 2010

Respectfully submitted,

By: /s/ David P. Whittlesey  
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**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 3rd day of November, 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 &amp; 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>

/s/ David P. Whittlesey  
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David P. Whittlesey

**CERTIFICATE OF CONFERENCE**

The undersigned has conferred with counsel of record for the Defendants by email, and the Defendants do not oppose this motion.

/s/ David P. Whittlesey

David P. Whittlesey