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Attorneys for Plaintiff GOOGLE INC.

IN THE UNITED STATES DISTRICT COURT,
 DISTRICT OF UTAH, CENTRAL DIVISION

GOOGLE INC., a Delaware corporation,

Plaintiff,

v.

PACIFIC WEBWORKS, INC., a Nevada
 corporation, and DOES 1-50,

Defendants.

Case No. 2:09-cv-1068

**[PROPOSED] ORDER GRANTING
 PLAINTIFF'S *EX PARTE* APPLICATION
 FOR LEAVE TO TAKE IMMEDIATE
 DISCOVERY**

Judge Bruce S. Jenkins

Having read all papers filed in connection with Plaintiff Google Inc.'s *Ex Parte*
 Application For Leave to Take Immediate Discovery and considered the issues raised therein,

IT IS HEREBY ORDERED that the Application is Granted.

IT IS FURTHER ORDERED that, pursuant to Federal Rules of Civil Procedure 26(d),
 Plaintiff may serve immediate discovery on Defendant Pacific WebWorks, Inc. ("PWW") and its
 subsidiary, Intellipay, by serving requests for production of documents and things, the responses
 to which shall be due within fifteen (15) days of service of the requests, and by deposing PWW's

persons most knowledgeable within fifteen (15) days of service of the notice of such deposition.

IT IS FURTHER ORDERED that Plaintiff may immediately serve Rule 45 subpoenas, which are limited to the following categories of entities and information:

- (1) Three domain name registrars, GoDaddy, Enom and NameCheap, and their related proxy registration services, Domains By Proxy, WhoIs Privacy Protection Inc. and NameCheap dba WhoIsGuard. Google is allowed to subpoena records sufficient to identify who owns the domain names associated with websites that use Google's name and trademarks to promote a purported "work-from-home" business opportunity ("Google Money-Making Opportunity").
- (2) Three A-record hosts, Icon Developments, Consonus and XMission. Google is allowed to subpoena records identifying customers for which these entities are "hosting" the IP Addresses for websites offering a Google Money-Making Opportunity.
- (3) Four telephone service providers, Accessline Communications, Network Enhanced Telecom, Paetec Communications and Qwest. Google is allowed to subpoena records sufficient to identify who owns the phone numbers used by the sites offering a Google Money-Making Opportunity.
- (4) Two CPA Networks, registered to Hydra LLC and Intermark Media. Google is allowed to subpoena records sufficient to identify who operates the Affiliate Sites and credit card processing sites involved in a Google Money-Making Opportunity that generate revenue with and for the CPA Networks.
- (5) Four entities that appear to host credit card sites processing payments used in connection with a Google Money-Making Opportunity, Bloosky, Crush, PolarisNet and VOMedia. Google is allowed to subpoena records sufficient to identify who operates the CPA Networks and credit card processing sites involved in a Google Money-Making Opportunity, and any Affiliate Sites for which the credit card processing sites have identifying records.

and

- (6) Two financial institutions used by the credit card processing sites, Wells Fargo and JPMorganChase. Google is allowed to subpoena records sufficient to identify the owners of certain merchant accounts used in connection with a Google Money-Making Opportunity.

IT IS FURTHER ORDERED that, to notify third parties about the scope of their duty to preserve evidence, Plaintiff is permitted to include requests for documents beyond those listed

above, provided, however, that Plaintiff shall inform the third parties in a cover letter that they only need to initially produce documents in the above-referenced categories within fifteen (15) days and that the remaining records may be produced at a later, mutually agreed-upon date.

IT IS FURTHER ORDERED that Plaintiff shall serve a copy of this Order along with any subpoenas issued pursuant to this Order on any entity subpoenaed pursuant to this Order.

IT IS FURTHER ORDERED that if any entity subpoenaed pursuant to this Order wishes to move to quash the subpoena, it must do so within ten (10) days of being served with it.

SO ORDERED this _____ day of December 2009.

Bruce S. Jenkins
United States District Court Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of December, 2009, I caused a true and correct copy of the **[Proposed] Order Granting Plaintiff's Ex Parte Application For Leave To Take**

Immediate Discovery to be served via :

Christian Larsen
President/Registered Agent
Pacific Webworks, Inc.
230 West 400 South
Salt Lake City, UT 84101

U.S. Mail, postage prepaid
 Hand Delivery
 Facsimile
 Overnight courier
 E-Mail and/or CM/ECF

By: /s/ Sherice L. Atterton