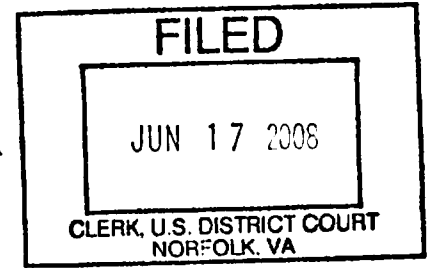


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division



BID FOR POSITION, LLC,

Plaintiff/Counterclaim Defendant,

v.

Civil Action No. 2:07cv582 (JBF-TEM)

AOL LLC,  
GOOGLE INC.,  
MICROSOFT CORP.,  
and MIVA, INC.,

Defendants/Counterclaim Plaintiffs.

**AGREED ORDER**

On this day came the Plaintiff Bid for Position, LLC ("Plaintiff") and the Defendant Google Inc. ("Google"), by counsel, upon Defendant Google Inc.'s Motion for an Order Sustaining Google's Objection to Plaintiff's Designation of Dana Todd as a Technical Advisor Under the Protective Order [Docket No. 92] ("Motion re: Todd"); and, it appearing to the Court that subsequent to the filing of the Motion re: Todd, Plaintiff and Google reached an agreement regarding Ms. Todd's access to certain documents, and, therefore, the Motion re: Todd has been mooted and should be withdrawn; and, upon good cause shown it is

ADJUDGED, ORDERED and DECREED that the Motion re: Todd filed by Google on May 15, 2008 is moot and deemed to be withdrawn;

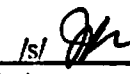
Pursuant to stipulation, Plaintiff's technical advisor Dana Todd will not be allowed access to Protected Information that shows or discloses, in whole or in part (1) how Google calculates Ad Rank, including the factors Google uses to rank advertisements; (2) the manner in which Google

calculates costs to advertisers, including the factors Google uses to determine cost per click; and (3) how Google calculates Quality Score, including the factors Google uses to calculate quality score.


If Plaintiff propounds additional document requests on Google and Google reasonably believes the requests call for Google to produce documents that should not be disclosed to Ms. Todd, Google will have seven days from service of the document requests to object to the disclosure of those documents to Ms. Todd. The objection will identify the specific document categories that Google seeks to preclude from being disclosed to Ms. Todd. Plaintiff and Google will meet and confer to resolve any issues or concerns raised in the objections. Seven days after the parties meet and confer, if the issues remain unresolved, Google will file a motion seeking to preclude Plaintiff from disclosing the objected to documents to Ms. Todd. Until the motion is resolved, Plaintiff will not disclose to Ms. Todd any of the documents that are the subject of the motion.

ENTER: 6 / 17 / 08

JUDGE:

1st   
Jerome B. Friedman  
United States District Court  
United States District Judge  
Eastern District of Virginia

WE ASK FOR THIS:

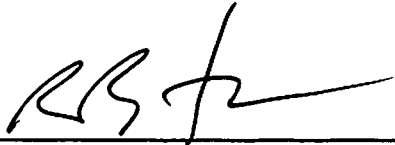
  
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