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THE HONORABLE JUDGE MARSHA PECHMAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Zango, Inc., f/k/a 180solutions, Inc.,)
a Washington corporation, a/k/a MetricsDirect,)
)
Plaintiff,)
)
v.)
Mainstream Advertising, a California)
Corporation,)
)
Defendant.)

No. CV 7-507
JOINT STATUS REPORT AND
DISCOVERY PLAN

The parties to this action submit the following Joint Status Report & Discovery Plan required by the Court's Order. The parties respond to the Court's specific inquiries as follows:

1. Plaintiff Zango, Inc. provides internet marketing services, including advertising services purchased by Defendant Mainstream Advertising that delivered advertisements (by opening a new browser window directly to Mainstream's designated web site) to internet users. Zango claims that Mainstream failed to pay for all of the services provided and breached its contractual agreements with Zango. Mainstream denies that it breached agreements with Zango or that it owes money to Zango.

Mainstream Advertising, Inc. provides online marketing services to advertisers and agencies, and represents advertisers seeking to procure additional web traffic. Mainstream counterclaims that (1) Zango's processes were in breach of contract (no user driven leads to its customers' web sites) and (2) its advertising tactics caused an actionable loss of clients and revenue to Mainstream.

JOINT STATUS REPORT AND DISCOVERY PLAN - 1

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1 Additionally, Mainstream alleges that Zango's claims should be subject to the arbitration clause
2 under Mainstream's contract, and that no services were provided under Zango's Insertion Order.
3 Zango denies these allegations and denies that it owes money to Mainstream.
4

5 2. The parties agree this case would benefit from mediation.

6 3. Mediation of this case should occur after the completion of discovery.

7 4. The deadline for joining additional parties should be September 1, 2007.

8 5. A. All parties participated in a Fed R. Civ. P. 26(f) conference. All parties have
9 served initial disclosures.

10 B. Discovery is needed on all liability and damages issues.

11 C. There is no need to change any of the limitations imposed by the Federal and
12 Local Civil Rules of Procedure.

13 D. The current limitations on discovery and the initial disclosure requirements in
14 Federal Court will help minimize discovery expenses.

15 E. At this time no orders should be entered by the Court under Fed. R. Civ. P. 26(c)
16 or under CR 16(b) and (c).

17 6. All discovery in this action should be completed by March 1, 2008.

18 7. The parties do not agree to try this case before a U.S. Magistrate Judge.

19 8. The parties do not believe bifurcation of the issues in this case would be helpful.

20 9. The parties request that they be required to comply with CR 16(i)(5) [list of
21 witnesses] and (6) [list of exhibits] and CR 16(j) [review of exhibits]. For the sake of economy, the
22 parties request that they not be required to follow CR 16(e), (h), (l), and 16.1 or the remaining
23 subparts of CR 16(i).

24 10. The parties presently have no suggestions for shortening or simplifying the case.

25 11. This case will be ready for trial by September 1, 2008.
26

JOINT STATUS REPORT AND DISCOVERY PLAN - 2

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12. Neither party has requested a jury.

13. Trial of this matter will require five (5) court days.

14. Trial counsel for the parties are identified as follows:

For plaintiff: Daniel P. Harris and Charles P. Moure, HARRIS & MOURE pllc, 720 Olive Way, Suite 1000, Seattle, WA 98101, (206) 224-5657 and fax (206) 224-5659.

For defendant: Michael H. Ferring and Daniel D. DeLue; Ferring & DeLue LLP
600 Stewart Street, Suite 1115, Seattle, Washington 98101-1242; T. 206-508-3804; F. 206-508-3817.

15. There are no service of process issues.

16. None of the parties wish to participate in a scheduling conference prior to a scheduling order being entered in this case.

HARRIS & MOURE, pllc

By /s Charles P. Moure
Daniel P. Harris, WSBA # 16778
Charles P. Moure, WSBA # 23701

Ferring & DeLue LLP

By /s Daniel D. DeLue
Michael H. Ferring, WSBA #19399
Daniel D. DeLue, WSBA #29357
Attorneys for Defendant

JOINT STATUS REPORT AND DISCOVERY PLAN - 3

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