

HONORABLE MARSHA J. PECHMAN

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

INTERVAL LICENSING LLC,

Plaintiff,

v.

AOL, INC, et al.,

Defendants.

Case No.: 2:10-cv-01385-MJP

DEFENDANTS GOOGLE INC. AND
YOUTUBE, LLC'S RENEWED
MOTION TO DISMISS OR SEVER
AND JOINDER IN YAHOO'S
RENEWED MOTION TO DISMISS
OR SEVER

Note on Motion Calendar:
April 25, 2011

ORAL ARGUMENT REQUESTED

Pursuant to Federal Rules of Civil Procedure 20 and 21, Defendants Google Inc. and YouTube, LLC (together, the "Google Defendants"), through their undersigned counsel, respectfully renew their motion to dismiss or sever the Google Defendants from the above-captioned action for misjoinder (Dkt. 65), and join in Yahoo!'s recently filed Renewed Motion to Dismiss or Sever for Misjoinder (Dkt. 193). The Google Defendants respectfully request that the Court dismiss or sever them from the above-captioned action for the reasons set forth in their original motion and in the renewed motion recently filed by Yahoo!.

Because both the Google Defendants' original motion and Yahoo!'s renewed motion in which the Google Defendants now join already have been fully briefed, and in view of the

1 upcoming consolidated oral argument on the motion to dismiss or sever filed by Yahoo! (Dkt.
2 193), and the Renewed Motion to Sever or Dismiss filed by eBay, Netflix, Office Depot &
3 Staples (Dkt. 192), the Google Defendants respectfully request that their renewed motion to
4 dismiss or sever also be heard at the upcoming oral argument. The Google Defendants
5 understand that the Court has granted defendants twenty minutes total for argument at the
6 hearing on April 25, 2011. In filing this motion, the Google Defendants are not requesting
7 additional time. The undersigned counsel for the Google Defendants met and conferred
8 telephonically with counsel for Plaintiff on April 5, 2011, and, subject to the Court's approval,
9 Plaintiff's counsel has consented to the Google Defendants' filing this renewal and joinder
10 motion and request for oral argument on the same date as the already pending motions.

11 DATED this 6th day of April, 2011.

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13 STOKES LAWRENCE, P.S.

14
15 By: s/ Shannon M. Jost
16 Shannon M. Jost (WSBA #32511)
17 Scott A.W. Johnson (WSBA #15543)
18 Theresa Hsin-Yi Wang (WSBA #39784)

19 and

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CERTIFICATE OF SERVICE

I hereby certify that on April 6, 2011, I caused the foregoing *Defendants Google Inc. and YouTube, LLC's Renewed Motion to Dismiss or Sever and Joinder in Yahoo!'s Renewed Motion to Dismiss or Sever for Misjoinder* to be:

electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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