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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ASIS INTERNET SERVICES, a California corporation,

Plaintiff,

vs.

OPTIN GLOBAL, INC., a Delaware Corporation, also dba Vision Media Limited Corp., USA Lenders Network, USA Lenders, and USA Debt Consolidation Service; et al.,

Defendants.

Case No. C-05-5124 JCS

NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE SUMMARY ADJUDICATION

Date: March 14, 2008
Time: 1:30 p.m.
Ctrm: A, 15th Floor

The Honorable Joseph C. Spero

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TO ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT on March 14, 2008 at 1:30 p.m. or as soon thereafter as the matter may be heard in the above-titled Court, located in Courtroom A on the 15th Floor of the United States District Court for the Northern District of California, located at 450 Golden Gate Avenue, San Francisco, CA 94101, defendant, AzoogLeAds.com Inc. (“AzoogLe”), will move for summary judgment or in the alternative summary adjudication. The scheduling of this Motion is based on the stipulation filed with the Court on December 17, 2008.

This Motion asks the Court to grant summary judgment to defendant AzoogLe and against plaintiff ASIS Internet Services (“ASIS”), as to all of ASIS’s causes of action. In the alternative, this Motion asks the Court to grant partial summary judgment to defendant AzoogLe and against ASIS, as to ASIS’s first cause of action brought pursuant to 15 U.S.C. §7701 *et seq.* (“CAN-SPAM”) or as to ASIS’s second cause of action brought pursuant to California Bus. & Prof. C. §17529.5 (“Section 17529.5”).

This Motion is based on AzoogLe’s Memorandum of Points and Authorities, the Declaration of Henry M. Burgoyne, III In Support of the Motion, the Declaration of David Graff In Support of the Motion, the Declaration of Fred Cohen In Support of the Motion, the Parties’ Joint Statement of Undisputed Facts, AzoogLe’s Separate Statement of Undisputed Facts In Support of the Motion, and such further evidence and arguments that may be presented prior to or at the hearing on this Motion.

Dated: January 18, 2008

Henry M. Burgoyne, III
Karl S. Kronenberger
Jeffrey M. Rosenfeld
Deepa Krishnan
Kronenberger Burgoyne, LLP

By: _____ /s/
Henry M. Burgoyne, III

Attorneys for Defendant,
AZOOGLEADS.COM INC.