

No. 184,784

PRK ENTERPRISES, INC. AND KLEIN INVESTMENTS, INC.	§	IN THE DISTRICT COURT OF
	§	
	§	
VS.	§	JEFFERSON COUNTY, TEXAS
	§	
GOOGLE, INC., <u>BLOGGER.COM</u>, <u>WWW.OPERATIONKLEINWATCH.BLOGSPOT.COM</u> AND <u>WWW.SAMTHEEAGLEUSA.BLOGSPOT.COM</u>	§	172ND JUDICIAL DISTRICT

PLAINTIFFS' MOTION TO STRIKE FINDINGS OF FACT AND CONCLUSION OF LAW, AND FOR COSTS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Petitioner, PRK Enterprises, Inc. and Klein Investments, Inc., and files their Motion to Strike Findings of Fact and Conclusion of Law, and for Costs, and would respectfully show unto the Court the following:

1. This situation involves constant delaying on the part of Google and its co-conspirators, the web bloggers, who want to prevent Plaintiffs from obtaining the identity of the defaming parties. This Honorable Court did not have a trial, and therefore there can be no findings of fact and conclusions of law. We have already filed a motion to dismiss the appeal. Accordingly, Plaintiffs request that this Honorable Court strike the request for findings of fact and conclusions of law, and assess costs against the bloggers jointly and severally as the Movants in the amount of \$1,000.00 for the cost of preparing this motion, attending the hearing, and obtaining a ruling from the Court.

Respectfully submitted,

JOHN S. MORGAN
TBA#14447475
Harris, Duesler & Hatfield, LLP
550 Fannin, Suite 650
Beaumont, Texas 77701
(409) 832-8382
(409) 833-4240 facsimile

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on the following counsel of record via facsimile, on this 23rd day of March, 2010.

Dennis Lynch
Figari & Davenport
901 Main Street, Suite 3400
Dallas, Texas 75202

Via facsimile (214) 939-2090

Sam the Eagle Webblog
Google Blogspot
Operation Kleinwatch Blog
1600 Amphitheatre Parkway
Mountain View, CA 94043

Via CM/RRR

JOHN S. MORGAN