

PRK ENTERPRISES INC. and KLEIN INVESTMENTS, INC.,	§	IN THE DISTRICT COURT OF
	§	
Plaintiffs,	§	
	§	
v.	§	JEFFERSON COUNTY
	§	
GOOGLE INC., et. al,	§	
	§	
Defendants.	§	172nd JUDICIAL DISTRICT

GOOGLE INC.’S SPECIAL EXCEPTIONS AND ORIGINAL ANSWER

Google Inc. (“Google”) submits its special exceptions and original answer in response to Petitioners’ First Amended Petition (the “First Amended Petition”), and states:

SPECIAL EXCEPTIONS

1. Pursuant to Rule 47 of the Texas Rules of Civil Procedure, Google specially excepts to the amount of damages requested by Petitioners in the First Amended Petition and respectfully requests that the Court require Petitioners to amend so as to specify the maximum amount of damages claimed.

2. The First Amended Petition does not allege a Discovery Control Plan as required under Tex. R. Civ. P. 190.1. Google specially excepts to this deficiency in the First Amended Petition and respectfully requests that the Court require Petitioners to amend and state whether this matter is to be governed by a Level 1, 2, or 3 Discovery Control Plan.

GENERAL DENIAL

3. Subject to the special exceptions noted above and subject to such admissions and stipulations as may be made at the time of any trial or hearing in this cause, Google denies generally and specially the material allegations contained in the First Amended Petition, and any amendments or supplements thereto, and demand strict proof thereof in accordance with the requirements of the laws of Texas.

RELIEF REQUESTED

4. Google respectfully requests the following relief:
- a. that Petitioners take nothing by reason of their suit against Google;
 - b. that Petitioners' claims be dismissed with prejudice and that Google recover its costs of court; and
 - c. that Google have all such other and further relief, both general and special, at law and in equity, to which it may show itself justly entitled.

Respectfully Submitted,

/s/ Dennis M. Lynch

Dennis M. Lynch
State Bar No. 90001506

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ATTORNEYS FOR DEFENDANT
GOOGLE INC.

CERTIFICATE OF SERVICE

I hereby certify on the 3rd day of March, 2010, a true and correct copy of the foregoing document has been sent via certified mail, return receipt requested to the following counsel of record:

Mr. John S. Morgan
Harris, Duesler & Hatfield
550 Fannin,, Suite 650
Beaumont, Texas 77701

A true and correct copy of the foregoing document has also been sent to Sam the Eagle Webblog and Operation Kleinwatch Webblog, the appellants in the Ninth District Court of Appeals.

/s/ Dennis M. Lynch

Dennis M. Lynch