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9 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
10 **IN AND FOR THE COUNTY OF MARICOPA**

11 FRANK STOKES, an individual, ) Case No. CV 2006-007573

12 Plaintiff, ) **ORDER**

13 v. ) (Assigned to the Honorable  
14 ) Jeanne Garcia)

15 AWSM TECHNOLOGY, L.L.C., an )  
16 Arizona limited liability corporation; )  
17 CRAIG MUNSEY and Jane Does Munsey, )  
18 husband and wife; JOHN and JANE DOES )  
19 1 through 10; DOE CORPORATIONS 1 )  
20 through 10, )

21 Defendants. )

22 This matter having come before the Court on Plaintiff's Motion to Set Aside Default  
23 Entered Against Defendant and Plaintiff's Motion for Leave to Amend Complaint to Assert  
24 Class Action Claims, the Court has determined that Plaintiff is entitled to the relief  
25 requested. Accordingly,

1           **IT IS HEREBY ORDERED** granting Plaintiff’s Motion to Set Aside Default  
2 Entered Against Defendant and Plaintiff’s Motion for Leave to Amend Complaint to Assert  
3 Class Action Claims.

4           **THE COURT FINDS** as follows:

- 5           1.     The class is so numerous that joinder of all members is impracticable,  
6                 evidenced by counsel’s affidavit that her office has been contacted by at least  
7                 224 people from different jurisdictions who believe they were victims of  
8                 Defendant’s alleged fraud and misrepresentations.
- 9           2.     There are questions of law or fact common to the class. The alleged victims  
10            set forth above entered into contracts with Defendant under same or similar  
11            terms based on similar promises.
- 12          3.     Frank Stokes’ claim is typical of the claims of the class.
- 13          4.     Frank Stokes will fairly and adequately protect the claims of the class. Mr.  
14            Stokes has retained counsel who is experienced in class action litigation.
- 15          5.     The common questions of law or fact predominate over questions affecting  
16            only individual members and a class action is superior to other available  
17            methods for the fair and efficient handling of the controversy. The court has  
18            not been advised of other pending litigation.

19          Based on these findings,

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**IT IS ORDERED** granting Plaintiff’s Motion for Order Determining that Action  
Maybe Maintained as Class Action. This action is certified as a class action.

**IT IS FURTHER ORDERED** that the class is defined as:

All persons and entities who contracted with AWSM Technology, LLC, under terms identical or substantially similar to those set forth in the AWSM Site Map™ Services Agreement for an “AWSM Ad” or any “AWSM Site Map™ Licensing and Service Package,” and who did not receive the promised commissions from the generation of internet sales.

**DATED** this \_\_\_ day of \_\_\_\_\_, 2010.

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The Honorable Jeanne Garcia  
Maricopa County Superior Court

**ORIGINAL** of the foregoing form of order  
electronically lodged this 15<sup>th</sup> day of January, 2010.

**COPY** of the foregoing hand-delivered  
this 15<sup>th</sup> day of January, 2010, to:

AWSM Technology, LLC  
c/o CT Corporation System, Statutory Agent  
2394 East Camelback Road  
Phoenix, Arizona 85016

1 **COPY** of the foregoing mailed  
this 15<sup>th</sup> day of January, 2010, to:

2  
3 AWSM Technology, LLC  
4 c/o Matthew O'Brien  
13835 N. Tatum Blvd. Suite 9-610  
Phoenix, Arizona 85032

5 William D. Holm  
6 Shaye Mann  
7 Jones, Skelton & Hochuli, P.L.C.  
2901 North Central Avenue, Suite 800  
Phoenix, Arizona 85012

8 Victoria M. Stevens  
9 Law Offices of Victoria M. Stevens, P.L.C.  
331 North First Avenue, Suite 220  
Phoenix, Arizona 85003

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11 By: /s/ Danielle Avery

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Granted

Signed on this day, March 5, 2010



/S/ Jeanne Garcia  
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Judicial Officer of Superior Court