

**Katten Muchin Rosenman Attorneys Get Class Action Lawsuit  
Against Zango Dismissed, With Prejudice**

*Plaintiffs in Simios v. 180solutions suit had alleged that Zango is 'spyware'*

**BELLEVUE, Wash. – Sept. 7, 2006** – Zango, an online media company, today announced the dismissal with prejudice of the putative class action lawsuit filed against the company last year in federal court in Chicago. The dismissal ends the litigation, is final, and is binding on the plaintiffs. Zango (sued under its former name, 180solutions, Inc.) vigorously defended the lawsuit, confident that there was no merit to any of the plaintiffs' claims – including the claim that the company's desktop advertising software is "spyware." The dismissal of the case is not the result of a settlement and is not subject to appeal.

The dismissed suit, *Logan Simios, et al. v. 180solutions, Inc.*, included broad assertions of alleged wrongdoing by Zango relating to its desktop advertising software. Zango's software fulfills the demand of millions of consumers for free access to online videos, games, music, tools and utilities, in exchange for targeted advertising when they search or browse the Internet.

"We are pleased, but frankly not too surprised, by the voluntary, with-prejudice dismissal of the lawsuit by the plaintiffs," said Ken McGraw, Zango's executive vice president, general counsel and chief compliance officer. "We have maintained from its inception that this case had no merit. The dismissal vindicates that position."

The *Simios* case was filed September 13, 2005 in the U.S. District Court for the Northern District of Illinois and dismissed on September 6, 2006. The dismissal "serves to confirm that Zango's desktop advertising software is not spyware in any shape or form and that our innovative business model is entirely legitimate," McGraw added.

"Despite occasional distractions like this unfounded lawsuit and the background noise of a small group of fixated critics, I'm very proud of the fact that our desktop advertising business continues to grow and progress nicely," said Keith Smith, CEO of Zango. "We will continue to execute upon our Content Economy vision of automating and monetizing the ecosystem of content providers, Web publishers and online advertisers, while delivering the free entertainment experiences consumers desire and expect."

A Chicago-based **Katten Muchin Rosenman LLP** team of attorneys ([Floyd A. Mandell](#), [Kristin J. Achterhof](#), [Dawn Canty](#), [Michael Dorfman](#) and [Julie Setren](#)) handled the defense of Zango in *Simios v. 180solutions, Inc.*, Case No. 05 C 5235 (N.D. Ill.).

**About Zango**

A pioneer of what we call the Content Economy, Zango, an online media company, fulfills millions of consumers' growing demand for free, sought-after online videos, games, music, tools and utilities, giving those consumers greater choice and control over when, where, and how they access that content. Zango's vision enables content creators to monetize and distribute their content, provides publishers access to valuable and

unique content as well as a way to make money from their web traffic, and delivers to advertisers industry-leading ROI through time-shifted ad delivery by engaging more than 20 million consumers precisely when they are most likely to make a purchasing decision. Committed to safe and ethical practices, Zango welcomes more than 200,000 new opt-in consumers every day. For more information, visit [www.zango.com](http://www.zango.com).

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**Contacts:**

Steve Stratz  
Zango  
425-279-1321  
[sstratz@zango.com](mailto:sstratz@zango.com)

Jennifer Mandel  
Infotech Strategies for Zango  
202.585.0252  
[mandel@itstrategies.com](mailto:mandel@itstrategies.com)