01980.51320/3317655.1

28

Perfect 10 Inc v. Google Inc et al

Case No. CV 04-9484 AHM (SHx) [Consolidated with Case No. CV 05-4753 AHM (SHx)]

Doc. 765

Perfect 10, Inc. ("P10") has filed an unsolicited "Status Report." The Court did not request that the parties file further pleadings regarding P10's demands for production prior to the "conclusion of the meet and confer process." P10 admits that the meet and confer is not complete, confirming that P10's filing was in contravention of the Court's instructions.

Google will not add to the burden that P10 has imposed on the Court's already heavy docket by substantively responding to P10's unauthorized and premature filing unless the Court directs a response. Suffice it to say, P10's Status Report is incomplete, failing to provide a full picture of the parties' meet and confer efforts regarding discovery. Meet and confer efforts are ongoing and are proceeding as quickly as practicable. If the Court wishes additional details, Google will provide them upon the Court's direction.

DATED: February 9, 2010

Respectfully submitted,

QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

Bv\_

Michael T. Zeller (Bar No. 196417) Rachel M. Kassabian (Bar No. 191060) Attornevs for Defendant GOOGLE INC.

-1-

<sup>&</sup>lt;sup>1</sup> P10's document is entitled "Status Report Regarding Court-Ordered Meet and Confer Regarding Documents Not Produced by Google," filed on February 8, 2010 (Docket No. 764).

<sup>&</sup>lt;sup>2</sup> January 27, 2010 Order denying P10's Request for Telephonic Conference (Docket No. 759).