

EXHIBIT E

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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION
18

19 OVERTURE SERVICES, INC., a Delaware
corporation,

20 Plaintiff,

21 v.

22 GOOGLE INC., a California corporation,

23 Defendant.
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Case No. C 02-01991 CRB ADR

**JOINT CASE MANAGEMENT
STATEMENT AND ORDER**

Judge: Hon. Charles R. Breyer

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26 On October 21, 2002, the Court entered a stipulated order staying Google's deadline for
27 serving Preliminary Invalidation Contentions pursuant to Patent L.R. 3-3, as well as the other deadlines set
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1 by the Patent Local Rules, pending resolution by a Magistrate Judge of Google's motion for an
 2 extension of time. The stipulated order further provided, "Within ten court days of the date of the order
 3 by the Magistrate Judge resolving Google's motion, the parties shall file with the Court a joint case
 4 management statement addressing any scheduling modifications that may be necessary in light of the
 5 Magistrate Judge's order."

6 Magistrate Judge Laporte heard argument on Google's motion on December 18, 2002. The
 7 Magistrate Judge ordered that, among other things, Overture should serve revised versions of its
 8 Preliminary Infringement contentions in part by January 14, 2003 and in part by January 31, 2003, and
 9 that Google should serve its Preliminary Infringement Contentions by February 14, 2003. The
 10 Magistrate Judge also entered a minute order later that day stating that Google's motion had been
 11 granted. As directed by the Magistrate Judge, the parties met and conferred and reached an agreement
 12 as to form for a written order, and counsel for Google submitted the order to the Magistrate Judge by
 13 electronic mail on December 19, 2002, and by messenger on December 20, 2002. The written order
 14 has not yet entered, but the parties expect that it will enter shortly in the form agreed upon by the
 15 parties.

16 Based on the dates in Magistrate Judge Laporte's ruling, the parties hereby jointly propose the
 17 following modifications to the case management schedule in this case:

Event	Patent L.R.	Old Date	New Date
Last Day for Simultaneous Exchange of Proposed Terms and Claim Elements for Construction and/or Governed by 35 U.S.C. § 112 ¶ 6	4-1	11/14/02	3/3/03
Last Day for Simultaneous Exchange of Preliminary Claim Constructions and Extrinsic Evidence	4-2	12/4/02	3/24/03
Last Day for Parties to File Joint Claim Construction and Prehearing Statement	4-3	12/30/02	4/15/03
Last Day to Take Discovery Relating to Claim Construction	4-4	1/29/03	5/15/03
Last Day for Overture to File Opening Claim Construction Brief and Supporting Evidence	4-5	2/13/03	5/30/03
Last Day for Google to File Responsive Claim Construction Brief and Supporting Evidence	4-5	2/27/03	6/13/03
Last Day for Overture to File Reply Claim Construction Brief and Rebuttal Evidence	4-5	3/10/03	6/24/03

Event	Patent L.R.	Old Date	New Date
Technology Tutorial for Court and Claim Construction Prehearing Conference		3/24/03	On or after 7/8/03
Claim Construction Hearing	4-6	3/25/03	On or after 7/9/03

If Magistrate Judge Laporte revises the order agreed upon by the parties prior to signing it, and if the changes necessitate further modifications to the case management schedule, the parties will submit a further joint case management schedule.

Dated: January 3, 2003

BRINKS HOFER GILSON & LIONE

By: s/ Charles M. McMahon
 CHARLES M. MCMAHON
 Attorneys for Plaintiff
 OVERTURE SERVICES, INC.

Dated: January 3, 2003

KEKER & VAN NEST, LLP

By: s/ Michael S. Kwun
 MICHAEL S. KWUN
 Attorneys for Defendant
 GOOGLE INC.

Good cause appearing, the foregoing modifications to the case management schedule in this case are hereby adopted by the Court.

IT IS SO ORDERED.

Dated: January 7, 2003

By: /s/
 THE HON. CHARLES R. BREYER
 UNITED STATES DISTRICT JUDGE

1 I hereby attest that concurrence in the filing of this document has been obtained from Charles
2 M. McMahon.
3 Dated: January 3, 2003

KEKER & VAN NEST, LLP

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5 By: s/ Michael S. Kwun
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8 GOOGLE INC.
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