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 12 AMERICAN AIRLINES, INC.

13 UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

16 YAHOO! INC., a Delaware corporation,
 17 Plaintiff,

18 v.

19 AMERICAN AIRLINES, INC., a Delaware
 20 corporation,
 21 Defendant.

CASE NO. C08-05308-JF-PVT

**STIPULATION AND REQUEST FOR
 COURT ORDER FOR ENLARGEMENT
 OF TIME TO ANSWER COMPLAINT
 AND RESCHEDULING OF INITIAL CASE
 MANAGEMENT CONFERENCE**

[Civil L.R. 6-2]

22 PLAINTIFF YAHOO! INC. (“Yahoo!”) and DEFENDANT AMERICAN AIRLINES, INC.
 23 (“American,” and, collectively, the “Parties”) by and through their counsel of record, hereby stipulate
 24 and request as follows:

25 WHEREAS, Yahoo! Inc. served its complaint in the above-entitled action (the “Yahoo!
 26 Action”) on December 16, 2008.

27 WHEREAS, the Parties previously stipulated that American’s response to Yahoo!’s complaint
 28 would be due on March 6, 2009.

WHEREAS, this Court’s November 21, 2008 Order Setting Initial Case Management
 Conference and ADR Deadlines set the initial case management conference in the Yahoo! Action for
 April 17, 2009, and set other deadlines accordingly.

1 WHEREAS, on November 24, 2008, Yahoo! filed a motion in the Northern District of Texas
2 seeking to transfer a separate proceeding entitled *American Airlines, Inc. v. Yahoo! Inc. and Overture*
3 *Services, Inc.*, Civil Action No. 4-08-CV-626-A (N.D.Tex.) (the “American Action”) to the Northern
4 District of California, and the district court denied Yahoo!’s motion on January 16, 2009.

5 WHEREAS, Yahoo! has sought a writ of mandamus from the United States Court of Appeals
6 for the Fifth Circuit ordering the transfer of the American Action to this District.

7 WHEREAS, the American Action presents issues which are similar and related to those
8 presented by the Yahoo! Action.

9 WHEREAS, once Yahoo!’s petition is granted or denied, the Parties expect to further
10 negotiate and possibly seek guidance from this Court and/or from the United States District Court for
11 the Northern District of Texas regarding the prosecution of both actions.

12 WHEREAS, Civil Local Rule 6-2 permits the Parties to file a stipulation requesting an order
13 for the enlargement of time.

14 1. The Parties request an order from this Court:

- 15 a) extending the time for American to respond to Yahoo!’s complaint to May 6,
16 2009;
- 17 b) rescheduling the Initial Case Management Conference for June 19, 2009 at
18 10:30 am, or for a later date and time that is convenient for the Court.

19 2. Neither this stipulation, nor its filing with the Court, constitutes an appearance by
20 American in the above-entitled action.

21 3. Neither this stipulation, nor its filing with the Court, will be used by the Parties to alter
22 any other event or deadline already set by the Court, or any event or deadline set in the American
23 Action.

24 4. Neither this stipulation, nor its filing with the Court, will be used by the Parties to
25 effect any future actions before this Court, or any currently pending or future actions in the American
26 Action.

27 5. Neither this stipulation, nor its filing with the Court, will be used by the Parties to
28 limit the Parties’ rights in any way in the Yahoo! Action or in the American Action.

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DATED: February 27, 2009

GIBSON, DUNN & CRUTCHER LLP
Attorneys for Defendant
AMERICAN AIRLINES, INC.

/s/ Frederick Brown
Frederick Brown

DATED:

MORRISON & FOERSTER LLP
Attorneys for Plaintiff
YAHOO! INC.

/s/ Lynn Humphreys
Lynn Humphreys

PURSUANT TO STIPULATION, IT IS SO ORDERED

SIGNED: _____

The Honorable Jeremy Fogel

DATED: _____

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