GIBSON, DUNN & CRUTCHER LLP 1 FREDERICK BROWN, SBN 65316, FBrown@gibsondunn.com 2 555 Mission Street 3 **Suite 3000** San Francisco, California 94105-2933 Telephone: (415) 393-8200 4 Facsimile: (415) 393-8306 5 Attorneys for Defendant AMERICAN AIRLINES, INC. 6 UNITED STATES DISTRICT COURT 7 FOR THE NORTHERN DISTRICT OF CALIFORNIA 8 SAN JOSE DIVISION 9 10 11 YAHOO! INC., a Delaware corporation, CASE NO. C08-05308-JF-PVT 12 Plaintiff, STIPULATION TO EXTENSION OF TIME TO ANSWER COMPLAINT 13 ٧. [Civil L.R. 6-1(a)] 14 AMERICAN AIRLINES, INC., a Delaware corporation, 15 Defendant. 16 PLAINTIFF YAHOO! INC. ("Yahoo!") and DEFENDANT AMERICAN AIRLINES, INC. 17 ("American," and, collectively, the "Parties") by and through their counsel of record, hereby stipulate 18 19 and agree as follows: WHEREAS, Yahoo! Inc. served its complaint in the above-entitled action on December 16, 20 21 2008. WHEREAS, American Airlines, Inc.'s response to Yahoo!'s complaint would otherwise be 22 23 due on January 5, 2009, pursuant to Fed. R. Civ. P. 12(a)(1)(A)(i). WHEREAS, Civil Local Rule 6-1(a) permits the Parties to stipulate to an extension of time to 24 25 answer or otherwise respond to the complaint. The Parties agree and stipulate to an extension of time for American to respond to 26 1. 27 Yahoo!'s complaint until February 4, 2009. 28 Gibson, Dunn & Crutcher LLP C08-05308-JF-PVT Stipulation to Extension of Time to Answer Complaint

- 2. Neither this stipulation, nor its filing with the Court, constitutes an appearance by American in the above-entitled action.
- 3. Neither this stipulation, nor its filing with the Court, will be used by the Parties to alter any event or deadline already set by the Court, or any event or deadline set in the separate proceeding entitled *American Airlines, Inc. v. Yahoo! Inc. and Overture Services, Inc.*, Civil Action No. 4-08-CV-626-A (N.D.Tex.).
- 4. Neither this stipulation, nor its filing with the Court, will be used by the Parties to effect any future actions before this Court, or any currently pending or future actions in the separate proceeding, Civil Action No. 4-08-CV-626-A (N.D.Tex.), including, but not limited to, Yahoo!'s currently pending Motion to Transfer filed November 23, 2008.
- 5. Neither this stipulation, nor its filing with the Court, will be used by the Parties to limit Yahoo!'s rights in any way in this proceeding, or in the separate proceeding, Civil Action No. 4-08-CV-626-A (N.D.Tex.).

DATED: January 5, 2009

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

Frederick Brown

DATED: 0 5, 2009

MORRISON & FOERSTER LLP Attorneys for Plaintiff

YAHOO! INC.

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