

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

GOOGLE INC., AOL LLC, YAHOO! INC., LAC SEARCH & MEDIA, INC., and LYCOS, INC.,	)	Misc No. 09-017 (JJF)
Plaintiffs,	)	
vs.	)	PENDING IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA (SAN JOSE DIVISION)
L. DANIEL EGGER, SOFTWARE RIGHTS ARCHIVE, LLC, and SITE TECHNOLOGIES, INC.,	)	
Defendants.	)	CIVIL ACTION NO. CV08-03172RMW
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SOFTWARE RIGHTS ARCHIVE, LLC,	)	
Plaintiff,	)	PENDING IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS (MARSHALL DIVISION)
vs.	)	
GOOGLE INC., AOL LLC, YAHOO! INC., LAC SEARCH & MEDIA, INC., and LYCOS, INC.,	)	CIVIL ACTION NO. 2:07-CV-511 (CE)
Defendants.	)	

**NOTICE OF DEVELOPMENT IN RELATED CASES**

Pursuant to Local Rule 7.1.2(b), non-party Altitude Capital Partners, L.P. hereby files this Notice of Development in Related Cases based on the following developments:

1. On March 31<sup>st</sup>, 2009, in *Software Rights Archive, LLC v. Google, Inc., et al.*, currently pending in the U.S. District Court for the Eastern District of Texas (Marshall Division), U.S. Magistrate Judge Charles Everingham IV denied the defendant’s Motion to Dismiss.
2. On April 15<sup>th</sup>, 2009, in *In re Site Technologies, Inc. d/b/a DeltaPoint, Inc.*, which was pending in the U.S. Bankruptcy Court for the Northern District of California (San Jose), the Honorable Roger L. Efremsky re-closed the case.

Altitude Capital Partners, L.P. contends that these decisions provide further support for its position that the discovery requested by Google, Inc. and AOL, LLC on October 21, 2008 is improper or moot.

Date: May 1, 2009

By: /s/ Michael J. Barrie  
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