

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No.: 06-60905-CIV-ALTONAGA/Turnoff

F & G RESEARCH, INC.,

Plaintiff,

vs.

GOOGLE INC.,

Defendant.

PLAINTIFF'S MOTION FOR THE COURT TO ASSIGN MEDIATION DATES

Plaintiff, F & G Research, Inc. ("F&G"), by and through its undersigned counsel, respectfully requests this Court to assign mediation dates in this action and in support states as follows:

1. This Court previously granted three (3) extensions for the parties to file the proposed mediation schedule. The Court's November 21, 2006 Order, approved Laurence A. Greenberg as the mediator in this action and required the parties to file the proposed mediation schedule within five (5) days of that order.

2. To date, the parties have not been able to agree on a date for the mediation. F&G is proposing an early scheduled mediation in January or February 2007, while Google's proposal is for September 2007. F&G's proposal for an early mediation is to get the parties to the mediation table, which could lead to a quick resolution to this matter, but Google maintains that this case is not yet ready for mediation.

3. The mediator is available for a mediation conference throughout the months of January and February of 2007. Therefore, F&G respectfully requests this Court to assign two days for the mediation conference, preferably February 12th and 13th, to take place at the mediator's office.

4. The undersigned hereby certifies that he has made a good faith effort to resolve the issues raised herein, but both parties could not agree on a date for the proposed mediation scheduled required to be filed with this Court today.

WHEREFORE, Plaintiff prays this Court grant the instant motion.

Dated: November 27, 2006
Fort Lauderdale, Florida

Respectfully Submitted,

/s/ Allen D. Brufsky
Allen D. Brufsky
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Attorneys for Plaintiff, F & G Research, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 27th, day of November, 2006, I electronically filed the foregoing document with the Clerk of the Court using the Court's CM/ECF system, which will send notification of such filing to the following counsel of record: **Gregory Hillyer and Ramsey Al-Salam**, and I certify that I have mailed by United States Postal Service the document to the following parties or counsels of record who are non-CM/ECF participants: NONE.

s/ Allen D. Brufsky

Allen D. Brufsky

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ORDER SCHEDULING MEDIATION

The mediation conference in this matter shall be held with Laurence A. Greenberg on February 12th and 13th, of 2007, commencing at 9:00 a.m. each day, at the office of Laurence A. Greenberg, Lerner Greenberg Stemer LLP, 2445 Hollywood Boulevard, Hollywood, Florida 33020.

DONE AND ORDERED in Chambers at Miami, Florida, this ___ day of November, 2006.

CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: All counsel of record

Laurence A. Greenberg, Esq. – Mediator
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