

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION

FIREFLY DIGITAL, INC., \* CIVIL ACTION NO. 6:10-cv-00133  
\*  
\*  
Plaintiff \*  
\*  
VERSUS \* JUDGE MELANCON  
\*  
GOOGLE, INC. \* MAGISTRATE JUDGE HANNA  
\*  
Defendant \*  
\*\*\*\*\*

**PLAN OF WORK**

On August 24 and September 13, 2010, the following individuals participated in meetings by telephone during which this Plan of Work was formulated:

Plaintiff Firefly Digital, Inc.  
through its counsel,  
Blair B. Suire, Esq.  
Jones, Walker, Waechter, Poitevent, Carrère & Denègre L.L.P.

Defendant Google, Inc.  
through its counsel,  
Andrew D. Mendez, Esq.  
Stone Pigman Walther Wittmann L.L.C.

**Part A**

Based on the information now reasonably available, the parties have agreed upon the following:

1. December 31, 2010 Deadline for non-expert discovery
2. January 10, 2011 Deadline for Defendant's expert reports (including reports going to its Counterclaims)
3. February 21, 2011 Deadline for expert discovery

4. March 3, 2011 Deadline for filing dispositive motions
5. April 12, 2011 Deadline for filing *Daubert* motions
6. September 13, 2011 Deadline for filing motions *in limine*
7. September 13, 2011 Meeting of counsel to prepare Pretrial Order
8. September 13, 2011 Deadline for trial depositions
9. October 3, 2011 Pretrial Order to be filed
10. November 14, 2011 Real Time Glossary due
11. November 14, 2011 CD-ROM exhibits due

12. Considering the subjects addressed by Fed. R. Civ. P. 26(f), the parties propose the following changes, limitations, or other matters: NONE (The parties' previous agreement to service of up to thirty-five (35) interrogatories is unaffected. Rec. docs. 17, 18).

Other deadlines set forth in the Court's April 7, 2010 Scheduling Order (Rec. doc.

16) are unaffected by the instant Plan of Work. The Court has entered an Order setting a trial date of November 21, 2011, setting a back-up trial date of November 28, 2011, and setting the Pretrial Conference for October 13, 2011 at 2:00 p.m. (Rec. doc. 22)

**Part B**

The following areas of disagreement, issues, or problems have arisen regarding the information set forth in Section A and/or the participation of counsel/unrepresented parties in the Plan of Work process: NONE.

Respectfully submitted

/s/ Blair B. Suire

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Attorneys for Google, Inc.

**CERTIFICATE OF SERVICE**

I, Andrew D. Mendez, do hereby certify that on this date, I electronically filed the above and foregoing pleading with the Clerk of the Court using the ECF System which sent notification of such filing to the following:

Robert L. Waddell [rwaddell@joneswalker.com]  
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This the 13<sup>th</sup> day of September, 2010.

/s/ Andrew D. Mendez