

April 30, 2009

**VIA ELECTRONIC FILING**

Magistrate Judge Ramon E. Reyes, Jr.  
United States District Court  
Eastern District of New York  
United States Courthouse  
225 Cadman Plaza East, Room 263  
Brooklyn, NY 11201

Re: *Web Tracking Solutions, LLC and Daniel Wexler v. Google Inc.*, No. 1:08-cv-03139

Your Honor:

Pursuant to the order entered December 2, 2008 in the above-referenced case (docket no. 27) ("First Scheduling Order"), the parties are scheduled to conduct a telephonic status conference with the Court tomorrow, May 1, 2009. However, the parties do not currently have any disputes to report, and for that reason request that the scheduled May 1 status conference be adjourned.

In lieu of a status conference on May 1, the parties submit this joint request for certain amendments to the First Scheduling Order. These changes will assist in the orderly resolution of the case and avoid unnecessary discovery disputes. This is the first requested amendment to the December 2, 2008 scheduling order.

The below chart summarizes the parties' requested revisions to the case schedule:

<b>Event</b>	<b>Revised Deadline</b>
Exchange proposed claim terms and phrases (First Scheduling Order ¶ 7)	June 10, 2009
Exchange preliminary proposed constructions (First	June 26, 2009

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Scheduling Order ¶ 8)	
Exchange disputed claim terms charts (First Scheduling Order ¶ 11)	August 4, 2009
Filing of <i>Markman</i> briefs (First Scheduling Order ¶ 12) and disclosure and exchange of <i>Markman</i> expert reports, affidavits, or declarations ( <i>id.</i> ¶ 13(a))	September 2, 2009
Completion of initial <i>Markman</i> expert depositions (First Scheduling Order ¶ 13(b))	September 23, 2009
Filing of responsive <i>Markman</i> briefs (First Scheduling Order ¶ 14) and disclosure and exchange of rebuttal <i>Markman</i> expert reports, affidavits, or declarations ( <i>id.</i> ¶ 13(c))	October 14, 2009
Completion of rebuttal <i>Markman</i> expert depositions (First Scheduling Order ¶ 13(d))	October 21, 2009
Filing with the Court of a Joint Disputed Claim Terms Chart (First Scheduling Order ¶ 14)	October 21, 2009

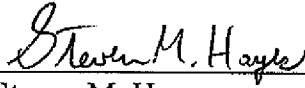
Attached hereto as Exhibit A is a draft order granting these requested changes.

The parties further request that certain hearing dates and related submissions be rescheduled. Subject to the convenience of the Court, the parties propose the following revised dates:

<b>Event</b>	<b>Revised Deadline</b>
Telephonic status conference (First Scheduling Order ¶ 10)	June 29, 2009
Joint status report (First Scheduling Order ¶ 17)	November 10, 2009
Joint status conference (First Scheduling Order ¶ 18)	November 17, 2009
Close of fact discovery (First Scheduling Order ¶ 18)	December 8, 2009

The parties are available to discuss these matters at Your Honor's convenience.

Respectfully submitted,



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