

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

FUNCTION MEDIA, L.L.C.	§	
	§	
Plaintiffs,	§	Civil Action No. 2:07-CV-00279-CE
	§	
vs.	§	
	§	
GOOGLE, INC. AND YAHOO, INC.	§	
	§	
Defendants.	§	JURY TRIAL DEMANDED

**UNOPPOSED MOTION TO WITHDRAW EMERGENCY MOTION  
TO SET DEADLINE FOR GOOGLE TO COMPLETE PRODUCTION AND  
RELIEF FROM MEET AND CONFER**

The parties having satisfactorily agreed on a schedule for Google to complete the agreed production, Function Media moves to withdraw the underlying Motion and Motion to Expedite.

Dated August 31, 2009.

Respectfully submitted,

/s/ Justin A. Nelson  
Max L. Tribble, Jr.  
State Bar No. 20213950  
Email: mtribble@susmangodfrey.com  
SUSMAN GODFREY LLP  
1000 Louisiana, Suite 5100  
Houston, Texas, 77002  
Telephone: (713) 651-9366  
Facsimile: (713) 654-6666

Lead Attorney for Plaintiffs

OF COUNSEL:

Justin A. Nelson, State Bar No. 24034766

**SUSMAN GODFREY L.L.P.**

1201 Third Avenue, Suite 3800

Seattle, Washington 98101-3000

Telephone: (206) 516-3880

Facsimile: (206) 516-3883

[jnselson@susmangodfrey.com](mailto:jnselson@susmangodfrey.com)

Joseph S. Grinstein, State Bar No. 24002188

Aimée Robert, State Bar No. 24046729

**SUSMAN GODFREY L.L.P.**

1000 Louisiana Street, Suite 5100

Houston, Texas 77002-5096

Telephone: (713) 651-9366

Fax: (713) 654-6666

Email: [jgrinstein@susmangodfrey.com](mailto:jgrinstein@susmangodfrey.com)

Email: [arobert@susmangodfrey.com](mailto:arobert@susmangodfrey.com)

Jeremy Brandon, State Bar No. 24040563

**SUSMAN GODFREY L.L.P.**

Suite 5100

901 Main Street

Dallas, Texas 75202-3775

Telephone: (214) 754-1900

Fax: (214) 754-1933

Email: [jbrandon@susmangodfrey.com](mailto:jbrandon@susmangodfrey.com)

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing documents have been served on all counsel of record via ECF/PACER this 31th day of August, 2009.

/s/ Justin A. Nelson

Justin A. Nelson