

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

**FUNCTION MEDIA, L.L.C.,**

**v.**

**GOOGLE, INC. AND YAHOO!, INC.**

**Civil Case No. 2:07-CV-279 (CE)**

**JURY TRIAL DEMANDED**

**JOINT MOTION TO EXTEND PRE-TRIAL DEADLINES**

In light of the Court's October 23, 2009 Notice of Hearing, Function Media and Google jointly move to extend certain pre-trial deadlines as follows:

1. Function Media and Google jointly move to extend the October 26, 2009 deadline for the parties' Responses to Motions in Limine, Responses to Dispositive Motions, Expert Witness designations and reports, and compliance with Local Patent Rule 3-7 to Tuesday, November 3, 2009.

2. Function Media and Google jointly move to extend the October 23, 2009 deadline to file their Joint Pretrial Order, Joint Proposed Jury Instructions and Form of the Verdict to December 3, 2009, which is more than one month before the January 4, 2010 date for jury selection.

These extensions will not affect the pretrial conference, jury selection and trial dates set in the Court's October 23, 2009 Notice of Hearing.

Dated: October 23, 2009

Respectfully submitted,  
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By:           /s/ Amy H. Candido          

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Counsel for Defendant and Counter-Claimant  
Google Inc.

**CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for Plaintiff, Joseph S. Grinstein has been contacted regarding the relief requested in this motion. Mr. Grinstein stated that Plaintiff was not opposed to the relief requested.

Dated: October 23, 2009

/s/  
\_\_\_\_\_  
Amy H. Candido

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on October 23, 2009 to all counsel of record who are deemed to have consented to electronic service via the Court' s CM/ECF system per Local Rule CV-5(a)(3).

/s/  
\_\_\_\_\_  
Amy H. Candido