

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

FUNCTION MEDIA, L.L.C.

Plaintiff,

vs.

GOOGLE INC. AND YAHOO!, INC.

Defendants.

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Civil Action No. 2007-CV-279

JURY TRIAL DEMANDED

**[PROPOSED] ORDER DENYING  
GOOGLE'S MOTION IN LIMINE NO. 5**

Before the Court is Google's Motion in Limine No. 5. After considering said Motion, and the opposition and replies thereto, the Court finds that the Motion should be and hereby is **DENIED.**