

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

FUNCTION MEDIA, L.L.C.,

Plaintiff,

v.

GOOGLE, INC. AND YAHOO!, INC.

Defendants.

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

JURY TRIAL DEMANDED

**UNOPPOSED MOTION TO RESCHEDULE THE FINAL
PRETRIAL CONFERENCE AND PRETRIAL DEADLINES**

Defendant Google, Inc. (“Google”) moves the Court to reschedule the Final Pretrial Conference from December 16, 2009, at 9:30 a.m., to Friday, December 4, 2009, at 9:30 a.m. Lead counsel for Google is unavailable from December 14-17, 2009 due to an ICC arbitration hearing in Zurich, Switzerland and the constraints of international travel. (See Google’s Notice of Potential Scheduling Conflict, Dkt. No. 226 (advising Court of Mr. Verhoeven’s unavailability on December 7-8 and December 14-17, 2009).)

Google further moves to reschedule the December 3, 2009 deadline to file the parties’ Joint Pretrial Order, Joint Proposed Jury Instructions and Form of the Verdict to November 20, 2009, which is more than one month before the January 4, 2010 date for jury selection.

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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 as long as the parties agreed to file the joint pretrial order at least one week beforehand.

Dated: November 4, 2009

/s/ _____
Billie D. Salinas

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on November 4, 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/ _____
Billie D. Salinas