

**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

**FUNCTION MEDIA, L.L.C.'S UNOPPOSED
MOTION FOR EXTENSION OF TIME TO FILE SURREPLY TO GOOGLE INC.'S
MOTION TO SEAL DOCUMENTS AND CLOSE THE COURTROOM DURING
PRESENTATION OF CONFIDENTIAL INFORMATION AT TRIAL**

Function Media, L.L.C. (“Function Media”) respectfully moves this Court for an extension of time in which to file its Surreply to Google Inc.’s Motion to Seal Documents and Close the Courtroom During Presentation of Confidential Information at Trial. Function Media’s surreply is currently due on Friday, November 27, 2009. Function Media seeks an extension of time permitting it to file its Surreply on Tuesday, December 1, 2009. Google is not opposed to this extension.

The requested extension will not affect the date of the December 4, 2009 Pretrial Conference, the date for jury selection, or the trial date set forth in the Court’s October 23, 2009 Notice of Hearing. (See Dkt. No. 228.)

Dated: November 25, 2009

Respectfully submitted,

/s/ Warren T. Burns
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CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2009, counsel for Function Media conferred with counsel for Google regarding this motion. Counsel for Google indicated that Google is not opposed to the relief sought in this motion.

CERTIFICATE OF SERVICE

I hereby certify that on November 25, 2009, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, using the electronic filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Warren T. Burns
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