

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

FUNCTION MEDIA, LLC

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NO. 2:07-CV-279 (CE)

GOOGLE, INC., ET AL

ATTORNEYS FOR PLAINTIFF: See attached sign-in sheet

ATTORNEYS FOR DEFENDANT: See attached sign-in sheet

LAW CLERK: Jim Warriner

COURTROOM DEPUTY: Debbie Latham

COURT REPORTER: Shelly Holmes

**PRETRIAL CONFERENCE
December 4, 2009, 9:30 a.m.**

OPEN: 9:35 a.m.ADJOURN: 11:33 a.m.

9:35 a.m. - Court opened. The parties introduced themselves to the Court and announced ready.

The Court advised the parties of the following: An eight-person jury will be picked on January 4, 2010, mostly likely in the afternoon and most likely in Judge Ward's courtroom; each side will have 4 strikes; the parties may make a brief opening statement before jury selection; and the patent film will be shown to the panel before jury selection. As it stands now, the trial will begin on January 19, 2010, at 8:30 a.m. in Judge Everingham's courtroom.

There will be a hearing on the pre-admission of exhibits and depo designations on January 5, 2010, at 9:00 a.m.

The Court then took up the Motions and Limine and made rulings. The Court also discussed with the parties the completion of production, search terms issues, and the number of asserted claims remaining.

11:33 a.m. - Hearing adjourned.