

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

FUNCTION MEDIA, L.L.C.

vs.

GOOGLE, INC. and
YAHOO!, INC.

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CASE NO. 2:07-CV-279-CE

ORDER

Before the court is the plaintiff Function Media, L.L.C.’s (“FM”) motion to expedite consideration (Dkt. No. 334) of motion to preclude admission of untimely evidence. FM’s motion is GRANTED in part. Argument on FM’s motion will be heard at the exhibit hearing scheduled for January 5, 2010. The defendant Google, Inc. (“Google”) shall file a response to FM’s motion to preclude prior to the evidentiary hearing.

SIGNED this 30th day of December, 2009.



CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE

