

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

FUNCTION MEDIA LLC	§	Civil Action No. 2007-CV-279
	§	
Plaintiff,	§	
	§	
vs.	§	
	§	
GOOGLE INC. AND YAHOO!, INC.	§	
	§	
Defendants.	§	JURY TRIAL DEMANDED

**PLAINTIFF FUNCTION MEDIA LLC'S RESPONSE IN OPPOSITION TO
DEFENDANT YAHOO! INC.'S MOTION FOR A PROTECTIVE ORDER**

Defendant Yahoo!, Inc.'s Motion for a Protective Order is improper and should be denied for the reasons set forth in Plaintiff Function Media LLC's Motion to Compel Discovery from Defendant Yahoo!, Inc. (filed April 13, 2009). *See* Docket No. 83. Function Media's Motion to Compel Discovery specifically addresses the arguments that Yahoo! raises in its Motion for a Protective Order. *See id.* at pp. 8-13. Rather than repeat Function Media's responses herein, Function Media incorporates by reference its Motion to Compel and accompanying brief.

A proposed order is attached.

Respectfully submitted,

/s/ Max L. Tribble, Jr.

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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing will be served via ECF on all counsel of record, this 13th day of April, 2009.

/s/ Jeremy J. Brandon

Jeremy J. Brandon