

Exhibit 9

**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'S FIRST SET OF INTERROGATORIES TO YAHOO!, INC.

Pursuant to Rule 26 and Rule 33 of the Federal Rules of Civil Procedure, Function Media LLC requests that Defendant Yahoo!, Inc., answer the following interrogatory under oath within thirty days.

DEFINITIONS

The following definitions and instructions shall apply:

- A. Use of the singular shall be taken to include the plural and vice-versa, except where to do so would exclude information from a response.
- B. The terms "and" and "or" shall be construed conjunctively or disjunctively to make any request for information inclusive rather than exclusive.
- C. The terms "any," "each" and "all" shall each be construed to make any request for information inclusive rather than exclusive.
- D. The terms "sales" shall include sales, licenses, leases, loans, consignments, distribution to resellers or others and all other methods of product distribution whether direct or indirect, and whether the product is distributed singly or in combination with or as part of another product, and whether or not revenue was or will be received therefrom.

E. For purposes of these interrogatories, the term “Accused Product” refers to any products, systems, technologies, functionalities, or services made, used, offered for use, sold, offered for sale, marketed, or licensed by Yahoo utilizing Yahoo’s Search Marketing and Yahoo Publisher Network technologies, or any other technology made, used, offered for use, sold, offered for sale, or licensed by Yahoo that allows a user to create, publish, or display advertisements on media owned or controlled by entities other than that user.

F. If Yahoo! finds the meaning of any term in the interrogatory to be unclear, Yahoo! should assume a reasonable meaning, state what that assumed meaning is and respond to the interrogatory on the basis of that assumed meaning.

G. Function Media requests that Yahoo! produce any documents referred to in Yahoo!’s answer to the interrogatory to the extent any such document has not already been produced. Function Media further requests that Yahoo! identify by Bates number(s) any documents referred to in Yahoo!’s answers that Yahoo! has previously produced.

H. If Yahoo! objects to any subpart or portion of the interrogatory or objects to providing certain information, please set forth fully the grounds upon which Yahoo!’s objection is based and answer the unobjectionable portion of the interrogatory.

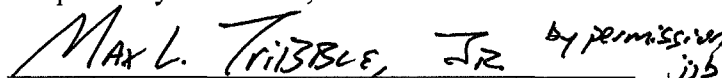
I. This interrogatory is to be regarded as continuing in nature. As specified under Fed. R. Civ. P. 26(e), Yahoo! is to provide via supplementary responses any additional or modifying information that may hereafter be obtained by Yahoo! or any person acting on Yahoo!’s behalf.

INTERROGATORIES

INTERROGATORY NO. 9:

State all revenues, profits, financial data, and usage statistics derived from or attributable in any way to usage, licensing, support, sales, maintenance, consulting, training, hosting, implementation, or customization associated with the Accused Products, any functionality therein, or any other products or functionalities sold to or used by customers who use the Accused Products. Your response should include data from 2002 until the present, broken down annually and by quarter.

Respectfully submitted,

 *Max L. Tribble, Jr.* *by permission jib*

Max L. Tribble, Jr.

State Bar No. 20213950

Email: mtribble@susmangodfrey.com

SUSMAN GODFREY LLP

1000 Louisiana, Suite 5100

Houston, Texas, 77002

Telephone: (713) 651-9366

Facsimile: (713) 654-6666

Lead Attorney for Plaintiffs

OF COUNSEL:

Joseph S. Grinstein

State Bar No. 24002188

Email: jgrinstein@susmangodfrey.com

SUSMAN GODFREY LLP

1000 Louisiana Street, Suite 5100

Houston, Texas 77002-5096

Telephone: (713) 651-9366

Fax: (713) 654-6666