

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

<p>BRIGHT RESPONSE, LLC, Plaintiff,</p> <p style="text-align:center">vs.</p> <p>GOOGLE INC., et al., Defendants.</p>	<p style="text-align:center">Civil Action No. 2:07-cv-371-CE JURY TRIAL DEMANDED</p>
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**MOTION FOR LEAVE TO FILE
YAHOO! INC.'S MOTION TO MODIFY THE PROTECTIVE ORDER**

Defendant Yahoo! Inc. ("Yahoo") submits this motion for leave to file a motion to modify the protective order. The motion to modify the protective order explains the facts surrounding the necessity of modifying the protective order to protect Yahoo's confidential information in a way that will not prejudice plaintiff Bright Response, LLC. For this reason, Yahoo respectfully requests leave to file a motion to modify the protective order.

Dated: November 5, 2009

Respectfully Submitted,

/s/ Jason White

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was served via CM/ECF on November 5, 2009 upon all counsel of record.

/s/ Jason White
Jason White

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(h), Defendant Yahoo hereby certifies that its counsel has conferred, on numerous occasions, including on November 2, 2009, with Plaintiff Bright Response, including Andrew Weiss and John Bustamante, in a good faith to attempt to resolve this matter without the Court's intervention. There was no agreement because Plaintiff Bright Response's counsel wants to leave one port active on the source code computers. These discussions have conclusively ended in an impasse. Thus, Bright Response opposes this motion.

/s/ Jason White
Jason White

/s/ John F. Bufe
John F. Bufe