

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

**BRIGHT RESPONSE, LLC**

v.

**GOOGLE INC., et al.**

**NO. 2:07-CV-371-CE**

**JURY**

**BRIGHT RESPONSE, LLC'S UNOPPOSED MOTION FOR LEAVE TO  
SUPPLEMENT ITS INFRINGEMENT CONTENTIONS  
AS TO AOL LLC AND AMERICA ONLINE, INC.**

Plaintiff Bright Response, LLC ("Bright Response") files this unopposed motion requesting that the Court grant Bright Response leave to supplement its infringement contentions as to Defendants AOL LLC and America Online, Inc. (collectively "AOL") as set forth below.

1. Pursuant to agreement between the parties, Bright Response moves for leave to supplement its infringement contentions to assert claims 28, 30, 31, 33 and 38 against AOL.

2. Bright Response agrees that this supplementation of its contentions as to AOL will not constitute any material change in the scope of this case or any product accused of infringement (specifically, it will add no new allegations not already brought against AdWords or an AOL branded version of AdWords).

3. While AOL does not oppose this motion, it is agreed that this is without prejudice to AOL's rights to dispute the sufficiency of these supplemented contentions (which as of the date of this stipulation have yet to be served) or their compliance with the terms of this stipulation.

4. In exchange for AOL's agreement to not oppose this motion, Bright Response agrees that it will not seek any further discovery from AOL, including but not limited to further 30(b)(6) deposition discovery.

Bright Response therefore requests that the Court grant this Motion and grant Bright Response leave to supplement its infringement contentions as set forth above as to Defendants AOL LLC and America Online, Inc.

Dated: July 6, 2010

Respectfully submitted,

Andrew W. Spangler  
LEAD COUNSEL  
SPANGLER LAW P.C.  
208 N. Green Street, Suite 300  
Longview, Texas 75601  
(903) 753-9300  
(903) 553-0403 (fax)  
spangler@spanglerlawpc.com

David M. Pridham  
LAW OFFICE OF DAVID PRIDHAM  
25 Linden Road  
Barrington, Rhode Island 02806  
(401) 633-7247  
(401) 633-7247 (fax)  
david@pridhamiplaw.com

Patrick R. Anderson  
PATRICK R. ANDERSON PLLC  
4225 Miller Rd, Bldg. B-9, Suite 358  
Flint, MI 48507  
(810) 275-0751  
(248) 928-9239 (fax)  
patrick@praplpc.com

By: /s/ Elizabeth A. Wiley  
Elizabeth A. Wiley  
Marc A. Fenster  
CA Bar No. 181067  
mfenster@raklaw.com  
Alexander C. Giza  
CA Bar No. 212327  
agiza@raklaw.com  
Andrew Weiss  
CA Bar No. 232974  
aweiss@raklaw.com  
RUSS, AUGUST & KABAT  
12424 Wilshire Blvd., 12th Floor  
Los Angeles, CA 90025  
(310) 826-7474  
(310) 826-6991 (fax)

Elizabeth A. Wiley  
Texas State Bar No. 00788666  
THE WILEY FIRM PC  
P.O. Box. 303280  
Austin, Texas 78703-3280  
Telephone: (512) 560.3480  
Facsimile: (512) 551.0028  
Email: lizwiley@wileyfirmpc.com

***ATTORNEYS FOR PLAINTIFF  
BRIGHT RESPONSE, LLC***

**CERTIFICATE OF SERVICE**

I certify that counsel of record who are deemed to have consented to electronic service are being served this 6th day of July 2010, with a copy of this document via the Court's CM/ECF systems per Local Rule CV-5(a)(3). Any other counsel will be served electronic mail, facsimile, overnight delivery and/or First Class Mail on this date.

/s/ Elizabeth A. Wiley  
Elizabeth A. Wiley