

**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

ORDER

On this day the Court considered the motion of Plaintiff Bright Response, LLC ("Bright Response") in which Bright Response seeks leave to supplement its infringement contentions ("Motion") as to AOL LLC and America Online, Inc. (collectively "AOL") to assert claims 28, 30, 31, 33 and 38 of the '947 patent. 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). While AOL does not oppose this motion, it is agreed that this is without prejudice to AOL's rights to dispute the sufficiency of the supplemented contentions (which as of the date of this stipulation have yet to be served) or their compliance with the terms of this stipulation. 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. Having considered the Motion, the Court finds that the Motion should be granted.

It is hereby ORDERED that the Court grants Bright Response leave to supplement its infringement contentions as to AOL as set forth above.

SIGNED this 7th day of July, 2010.


CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE