

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

BRIGHT RESPONSE, LLC,
Plaintiff,

v.

GOOGLE, INC., et al.,
Defendants.

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Civil Action No. 2:07-cv-371-ce

JURY TRIAL DEMANDED

ORDER

Pending before the Court is Plaintiff’s Motion to Clarify Or Reconsider The Court’s ruling Denying Plaintiff’s Motion in Limine No. 14 (Claims No Longer Being Asserted) In Light Of The Court’s Granting Motion In Limine No. 15 (Products No Longer Being Accused). The Court finds that the Motion has merit and should be GRANTED. The Court therefore orders, commensurate with its ruling on Plaintiff’s Motion in Limine No. 15, as follows:

That the portion of Plaintiff’s Motion in Limine requesting that the Court preclude Defendants from referring to the fact that Plaintiff is no longer pursuing certain claims that it had previously asserted is GRANTED: Defendants are precluded from stating that a particular claim was at one time asserted and is now not asserted, but this Order does not prevent the Defendants from saying in front of the jury that particular claims of the ‘947 patent are not and have not been asserted.