

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

PERFORMANCE PRICING, INC.	§	
	§	
v.	§	CIVIL NO. 2:07cv432
	§	
GOOGLE, INC., ET AL.	§	

MEDIATION ORDER

The Court is of the opinion that this case would benefit from mediation and hereby refers the case to mediation and appoints the following mediator:

Mediator:	Name:	Edward A. Infante
	Address	Two Embarcadero Center, Suite 1500
	City, State	San Francisco, CA 94111
	Phone:	(415) 982-5267
	Fax:	(415) 982-5287

The mediator is responsible for immediately contacting all parties to schedule the earliest optimum time for mediation of this case, but in no event later than the mediation deadline:

Mediation Deadline: January 30, 2009 (1st round)

December 18, 2009 (2nd round)

If the case does not settle at the first mediation, the mediator is encouraged to continue dialogue with the parties working toward settlement of the case. The mediator shall have the authority to reconvene subsequent mediations any time the mediator believes it to be potentially productive.

All counsel are responsible for notifying their clients of the mediation date so that all parties and interested persons have the mediation date scheduled well in advance. Counsel should prepare for the mediation just as they would prepare for a significant hearing or trial in this case.

Mediation will be conducted in accordance with the Eastern District's Mediation Plan.
(See General Order 07-09 on the Court's website, www.txed.uscourts.gov.) Within five days of the conclusion of the mediation, the mediator is requested to file with the Court a Mediator's Report advising the Court of the results of the mediation.

So ORDERED and SIGNED this 19th day of May, 2008.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE