

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

PERFORMANCE PRICING, INC.,

Plaintiff,

v.

GOOGLE INC., AOL LLC, MICROSOFT  
CORPORATION, YAHOO! INC.,  
IAC SEARCH & MEDIA, INC., and  
A9.COM, INC.,

Defendants.

Case No. 2:07-CV-432 (LED)

**JURY TRIAL DEMANDED**

**JOINT MOTION FOR EXTENSION OF DEADLINE  
TO PROVIDE PROPOSED TECHNICAL ADVISORS**

Plaintiff Performance Pricing, Inc. and Defendants Google Inc., AOL LLC, Microsoft Corporation, Yahoo! Inc., and IAC Search & Media, Inc. respectfully file this Joint Motion seeking the Court's permission for an extension of time for the parties to provide proposed technical advisors to the Court.

According to the Court's Docket Control Order entered May 14, 2008 (Dkt. 99), the deadline for the parties to provide the name, address, phone number, and curriculum vitae for three (3) agreed technical advisors and information regarding the nominees' availability for Markman hearing or a statement that they could not reach an agreement as to any potential technical advisor is January 30, 2009.

Plaintiff Performance Pricing, Inc. and Defendants Google Inc., AOL LLC, Microsoft Corporation, Yahoo! Inc., and IAC Search & Media, Inc. jointly move for the Court to extend said deadline to February 13, 2009.

WHEREFORE, Plaintiff Performance Pricing, Inc. and Defendants Google Inc., AOL LLC, Microsoft Corporation, Yahoo! Inc., and IAC Search & Media, Inc. respectfully pray that the Court grant this Motion and extend the deadline for the parties to provide proposed technical advisors to the Court until and through February 13, 2009.

Dated: January 30, 2009

Respectfully submitted,

/s/ Michael E. Jones

Michael A. Jacobs (mjacobs@mofo.com)

Lead Attorney

Rachel Krevans (rkrevans@mofo.com)

Richard S.J. Hung (rhung@mofo.com)

MORRISON & FOERSTER LLP

425 Market Street

San Francisco, California 94105

Tel: (415) 268-7000

Fax: (415) 268-7522

Michael E. Jones (mikejones@potterminton.com)

Potter Minton, A Professional Corporation

110 North College, Suite 500

Tyler, Texas 75702

Telephone: (903) 597-8311

Facsimile: (903) 593-0846

*Attorneys for Defendant/Counterclaimant  
Yahoo! Inc.*

*/s/ David J. Beck*  
*(with permission by Michael E. Jones)*

David J. Beck  
Texas Bar No. 00000070  
dbeck@brsfirm.com  
Michael E. Richardson  
State Bar No. 24002838  
mrichardson@brsfirm.com  
Beck, Redden & Secrest, L.L.P.  
One Houston Center  
1221 McKinney St., Suite 4500  
Houston, TX. 77010  
(713) 951-3700  
(713) 951-3720 (Fax)

Charles K. Verhoeven  
charlesverhoeven@quinnemanuel.com  
David A. Perlson  
davidperlson@quinnemanuel.com  
Antonio R. Sistos  
antoniosistos@quinnemanuel.com  
Emily C. O'Brien  
emilyobrien@quinnemanuel.com  
Katherine H. Bennett  
katherinebennett@quinnemanuel.com  
QUINN EMANUEL URQUHART OLIVER  
& HEDGES, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111  
Telephone: 415.875.6600  
Facsimile:415.875.6700

***Attorneys for Defendant***  
**GOOGLE, INC. and AOL, LLC**

*/s/ Otis Carroll*  
*(with permission by Michael E. Jones)*

Otis Carroll  
Texas Bar No. 03895700  
Collin Maloney  
Texas Bar No. 00794219  
Ireland, Carroll & Kelley, P.C.  
6101 S. Broadway, Suite 500  
Tyler, Texas 75703  
(903) 561-1600  
(903) 581-1071 (FAX)

Charles K. Verhoeven  
charlesverhoeven@quinnemanuel.com  
David A. Perlson  
davidperlson@quinnemanuel.com  
Antonio R. Sistos  
antoniosistos@quinnemanuel.com  
Emily C. O'Brien  
emilyobrien@quinnemanuel.com  
Katherine H. Bennett  
katherinebennett@quinnemanuel.com  
QUINN EMANUEL URQUHART OLIVER  
& HEDGES, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111  
Telephone: 415.875.6600  
Facsimile:415.875.6700

***Attorneys for Defendant***  
**IAC SEARCH & MEDIA, INC.**

*/s/ Eric H. Findlay*  
*(with permission by Michael E. Jones)*

Eric H. Findlay  
Efindlay@findlaycraft.com  
FINDLAY CRAFT  
6760 Old Jacksonville  
Suite 101  
Tyler, TX 75703  
Tel: 903-534-1100  
Fax: 903-534-1137

Richard A. Cederoth  
SIDLEY AUSTIN LLP  
One South Dearborn Street  
Chicago, IL 60603  
Telephone: 312-853-7000  
Facsimile: 312-853-7036

***Attorneys for Defendant***  
**MICROSOFT CORPORATION**

*/s/ Christin Cho*  
*(with permission by Michael E. Jones)*

Christin Cho  
christin@dovellaw.com  
Gregory S. Dovel  
greg@dovellaw.com  
Sean Luner  
sean@dovellaw.com  
DOVEL & LUNER, LLP  
201 Santa Monica Blvd., Suite 600  
Santa Monica, CA 90401  
Telephone: 310-656-7066  
Facsimile: 310-657-7069

Calvin Capshaw  
ccapshaw@capshawlaw.com  
Elizabeth DeRieux  
ederieux@capshawlaw.com  
N. Claire Abernathy  
cabernathy@capshawlaw.com  
CAPSHAW DERIEUX, LLP  
1127 Judson Road, Suite 220  
Longview, TX 75601

Telephone: 903-236-9800  
Facsimile: 903-236-8787

Robert Parker  
rmparker@pbatyler.com  
Christopher Bunt  
rcbunt@pbatyler.com  
Charles Ainsworth  
charley@pbatyler.com  
PARKER, BUNT & AINSWORTH PC  
100 East Ferguson, Ste. 1114  
Tyler, TX 75702  
Telephone: 903-531-3535  
Facsimile: 903-533-9687

*Attorneys for Plaintiff*  
**PERFORMANCE PRICING, INC.**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on January 30, 2009. Any other counsel of record will be served by First Class U.S. mail on this same date.

*/s/ Michael E. Jones* \_\_\_\_\_