

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

**SECOND 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 Second 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 Order entered February 2, 2009 (Dkt. 163), 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 February 13, 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 27, 2009. The parties respectfully request the added time to complete their consultations about a possible Technical Advisor.

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 27, 2009.

Dated: February 13, 2009

Respectfully submitted,

/s/ John F. Bufe

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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 February 13, 2009. Any other counsel of record will be served by First Class U.S. mail on this same date.

/s/ John F. Bufe _____