

UNITED STATES DISTRICT COURT
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.

Civil Action No. 2:07-cv-432 (LED/JDL)

JURY DEMANDED

**AGREED MOTION FOR EXTENSION OF CERTAIN DEADLINES AND PAGE
LIMITS**

COMES NOW Plaintiff, Performance Pricing, Inc., and files this Agreed Motion for Extension of Certain Deadlines and Page Limits in said cause and in support of such motion would respectfully show the Court as follows: The current deadline for Plaintiff's Reply Claim Construction Brief is June 5, 2009, plaintiff respectfully requests an extension until June 8 to file its Reply Claim Construction Brief. Additionally, Plaintiff requests a page limit extension from 10 pages to 18 pages on its Reply Claim Construction Brief.

Plaintiff also requests the Court allow Google, Inc., AOL LLC, Microsoft Corporation, Yahoo! Inc., IAC Search & Media, Inc. and A9.com, Inc. (collectively "defendants") to file a Sur-Reply Claim Construction Brief of no greater than 10 pages in length, to be filed no later than June 12, 2009.

Plaintiff has conferred with Defendants, and Defendants are not opposed to the requests in this Motion.

Dated: June 5, 2009

Respectfully submitted,

By: /s/ Elizabeth L. DeRieux

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**ATTORNEYS FOR PLAINTIFF
PERFORMANCE PRICING, INC.**

CERTIFICATE OF CONFERENCE

I certify that I have complied with the meet and confer requirement in Local Rule CV-7(H) and that this motion is unopposed.

/s/ Elizabeth L. DeRieux
Elizabeth L. DeRieux

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 June 5, 2009. Any other counsel of record will be served by facsimile transmission and first class mail.

/s/ Elizabeth L. DeRieux
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