

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

PERFORMANCE PRICING, INC.	§	
	§	
v.	§	CIVIL ACTION NO. 2:07-cv-432[LED]
	§	
GOOGLE INC., AOL LLC,	§	JURY DEMANDED
MICROSOFT CORPORATION,	§	
YAHOO! INC., IAC SEARCH & MEDIA,	§	
INC., and A9.COM, INC.	§	

**DEFENDANT YAHOO! INC.'S UNOPPOSED MOTION FOR EXTENSION OF TIME  
IN WHICH TO ANSWER, MOVE, OR OTHERWISE RESPOND TO PLAINTIFF'S  
AMENDED COMPLAINT**

Defendant YAHOO! INC., without waiving any defenses or any matters that might be presented pursuant to FEDERAL RULE OF CIVIL PROCEDURE 12(b) or any other rule or law, files this unopposed motion for an extension of time in which to answer, move, or otherwise respond to Plaintiff PERFORMANCE PRICING, INC.'S Amended Complaint and would respectfully show the Court as follows:

YAHOO! INC. has requested and Plaintiff has agreed to an extension of YAHOO! INC.'S time to respond in any manner whatsoever including answer, motion, or other pleading of any type to Plaintiff's Amended Complaint. Specifically, YAHOO! INC. requests, and PERFORMANCE PRICING, INC. does not oppose, an additional extension of time up to and including November 21, 2007.

A proposed Order granting this unopposed motion is attached for the Court's convenience.

Dated: October 22, 2007

Respectfully submitted,

By: /s/ Michael E. Jones

Michael E. Jones

State Bar No. 10929400

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ATTORNEYS FOR DEFENDANT  
YAHOO! INC.

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who 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 this the 22<sup>nd</sup> day of October, 2007. Any other counsel of record will be served by first class U.S. mail on this same date.

/s/ Michael E. Jones

Michael E. Jones