

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

PERFORMANCE PRICING, INC.,

Plaintiff,

v.

GOOGLE INC.; AOL LLC; MICROSOFT  
CORP.; YAHOO! INC.; AND IAC SEARCH  
& MEDIA, INC.,

Defendants.

Civil Action No. 2-07CV-432-LED  
(Eastern District of Texas)

**JURY TRIAL DEMANDED**

**JOINT MOTION TO EXTEND DEADLINE FOR FIRST ROUND OF MEDIATION**

TO THE HONORABLE JUDGE OF THIS COURT:

Plaintiff Performance Pricing, Inc. (“Plaintiff”) and Defendants Google Inc., AOL LLC, and Microsoft Corporation (“Defendants”) file this joint motion and respectfully ask the Court to extend one deadline in this matter. Plaintiff and Defendants would show the Court as follows:

1. Pursuant to the Court’s Order Granting Joint Motion to Extend Deadline for First Round of Mediation, the current deadline for the parties to complete the first round of mediation is July 31, 2009.

2. Plaintiff and Defendants request an extension of the mediation deadline in order to accommodate the schedules of both the parties and the assigned mediator, who were unavailable on the same date prior to July 31, 2009. Additionally, mediation has now been scheduled with Judge Infante for August 13, 2009.

3. Plaintiff and Defendants believe a third extension of the deadline for the first round of mediation would be helpful, and therefore respectfully request this Court to extend the deadline to August 13, 2009.

4. Plaintiff and Defendants seek this extension of time not for delay but for good cause and that justice may be served.

WHEREFORE, Plaintiff and Defendants request that the Court extend the deadline for the first round of mediation until August 13, 2009.

DATED: June 10, 2009

*/s/ Emily C. O'Brien*

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*(with permission by Emily C. O'Brien)*

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***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 June 10, 2009.

*/s/ Emily C. O'Brien*

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