

**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.

Civil Action No. 2-07-cv-432 (LED-JL)

JURY DEMANDED

UNOPPOSED MOTION FOR WITHDRAWAL OF COUNSEL

Plaintiff Performance Pricing, Inc. respectfully requests that N. Claire Abernathy be permitted to withdraw as counsel of record for Performance Pricing, Inc. in this matter. The reason for this request is that Ms. Abernathy is no longer associated with the law firm Capshaw DeRieux, LLP. No other changes are requested at this time regarding the other attorneys acting as Performance Pricing, Inc.'s counsel of record.

Respectfully submitted,

Date: July 13, 2009

By: /s/ Elizabeth L. DeRieux
S. Calvin Capshaw
State Bar No. 03783900
Email: ccapshaw@capshawlaw.com
Elizabeth L. DeRieux
State Bar No. 05770585
Email: ederieux@capshawlaw.com
D. Jeffrey Rambin
State Bar No. 00791478
Email: jrambin@capshawlaw.com

Capshaw DeRieux, LLP
1127 Judson Road, Suite 220
Longview, TX 75601
Telephone: (903) 236-9800
Facsimile: (903) 236-8787

Robert Christopher Bunt
State Bar No. 00787165
E-mail: rcbunt@pbatyler.com
Charles Ainsworth
State Bar No. 00783521
E-mail: charley@pbatyler.com
Parker, Bunt & Ainsworth, P.C.
100 East Ferguson, Suite 1114
Tyler, Texas 75702
Telephone: (903) 531-3535
Facsimile: (903) 533-9687

Gregory S. Dovel
CA Bar No. 135387
E-mail: greg@dovellaw.com
Christin K. Cho
CA Bar No 238173
E-mail: christin@dovellaw.com
Dovel & Luner, L.L.P.
201 Santa Monica, California 90401
Telephone: (310) 656-7066
Facsimile: (310) 657-7069

**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 this motion is unopposed.

/s/ Elizabeth L. DeRieux

CERTIFICATE OF SERVICE

I hereby certify that the all counsel of record who are deemed to have consented to electronic service are being served this 13th day of July, 2009, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Elizabeth L. DeRieux _____
Elizabeth L. DeRieux