

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

PERFORMANCE PRICING, INC.,

Plaintiff,

v.

GOOGLE INC. and AOL LLC,

Defendants.

Case No. 2:07-cv-432 (LED)

**JURY TRIAL DEMANDED**

**DEFENDANTS' UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO  
SUBMIT THEIR SUPPLEMENTAL RESPONSE BRIEF ON CLAIM CONSTRUCTION**

The current deadline for Defendants Google Inc. and AOL LLC (collectively, "Defendants") to submit a supplemental response claim construction brief as ordered by the Court in section 4 (pp. 4-5) of the Court's Order issued on July 15, 2009 (Docket No. 218) ("Order") is Tuesday, July 28, 2009. Plaintiff submitted its supplemental claim construction brief pursuant to section 4 of the Order on Wednesday, July 22, 2009, following a two-day extension granted by the Court.

Plaintiff Performance Pricing ("Plaintiff") does not oppose this motion.

WHEREFORE, Defendants respectfully request that the deadline for Defendants to submit a supplemental response brief on claim constructing be extended to Thursday, July 30, 2009.

Dated: July 28, 2009

Respectfully submitted,

By:     /s/ Antonio R. Sistos    

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Attorneys for Defendants Google Inc. and AOL  
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**CERTIFICATE OF SERVICE**

I certify 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 July 28, 2009.

/s/ Antonio R. Sistos  
Antonio R. Sistos

**CERTIFICATE OF CONFERENCE**

I certify that Defendants have conferred with Plaintiff regarding the relief requested herein and Plaintiff is unopposed to such motion.

/s/ Antonio R. Sistos  
Antonio R. Sistos