

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

PERFORMANCE PRICING, INC.,

Plaintiff,

v.

GOOGLE INC., et al.,

Defendants.

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CIVIL ACTION NO. 2:07cv432

ORDER

On September 18, 2009, Magistrate Judge Carolyn Turchin issued an order (Doc. No. 23), in the Performance Pricing, Inc. v. Google et al. matter before the Central District of California, case number 2:09-cv-06283-FMC-CT. In that Order, Judge Turchin transferred the dispute surrounding the subpoena of a non-party witness to the United States District Court for the Eastern District of Texas. *See* FED. R. CIV. PRO. 45. Going forward, this matter will be resolved by Magistrate Judge John Love in the court presiding over the underlying case.

Pursuant to Judge Turchin's Order, the litigants are required to take specific action to bring Defendants Google, Inc. and AOL LLC's (collectively, "Defendants") Motion to Compel Production of Documents by Third Parties ("Motion to Compel") before Judge Love in the Eastern District of Texas. To that end, the Court sets a telephonic hearing on the Motion on **Thursday October 1, 2009 at 10:30am CST**. It is **ORDERED** that prior to the telephonic hearing, the Motion to Compel and all other relevant documents originally filed with the Central District of California are re-filed in the Eastern District of Texas. The parties will have until Friday, **September 25, 2009 at 4:00pm CST** to complete these filings with the Court.

So ORDERED and SIGNED this 23rd day of September, 2009.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE