

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PERFORMANCE PRICING, INC.,

Plaintiff,

v.

GOOGLE INC. and AOL LLC,

Defendants.

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

JURY TRIAL DEMANDED

DEFENDANTS' UNOPPOSED MOTION TO EXTEND CERTAIN DEADLINES

TO THE HONORABLE JUDGE OF THIS COURT:

Defendants Google Inc. and AOL LLC (“Defendants”) file this unopposed motion and respectfully ask the Court to extend certain deadlines in this matter. Defendant Google Inc.’s opposition to Plaintiff’s Motion to Compel the Deposition of Michelle Lee is due Monday, November 30, 2009. Pursuant to the Court’s Order issued on November 9, 2009, *Daubert* motions are due by November 24, 2009, and responses to such motions are due by December 22, 2009. Defendants respectfully request an extension of these deadlines as follows:

Opposition to Motion to Compel Deposition of Michelle Lee extended until December 7, 2009.

Daubert motion deadline extended until January 8, 2010.

Daubert response deadline extended until January 22, 2010.

The parties agreed to extend expert discovery until December 2009. This requested extension of *Daubert* deadlines would allow the parties to complete this discovery before filing their *Daubert* motions. Plaintiff has no opposition to Defendants’ proposed extensions.

WHEREFORE, Defendants respectfully request that the Court extend certain deadlines as outlined above. Defendants seek these extensions of time not for delay but for good cause and that justice may be served.

DATED: November 24, 2009

/s/ Emily C. O'Brien

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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 November 24, 2009.

/s Emily C. O'Brien

Emily C. O'Brien, *pro hac vice*