

**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.

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

JURY TRIAL DEMANDED

Joint Motion for Extension of Deadlines

Plaintiff Performance Pricing, Inc. and Defendants Google Inc. and AOL LLC respectfully file this Joint Motion seeking the extension of the summary judgment motion briefing schedule as follows:

- Regarding Defendants' Motions for Summary Judgment, filed November 18, 2009, Plaintiff's Oppositions would be due December 21, 2009, and Defendants' Replies would be due January 11, 2010.
- Regarding Plaintiff's Motions for Summary Judgment, filed November 23, 2009, Defendants' Oppositions would be due December 28, 2009, and Plaintiff's Replies would be due January 18, 2010.

The parties also request that the current deadline (January 12, 2010) for the Joint Pretrial Order, Joint Proposed Jury Instructions, Form of the Verdict, Proposed Finding of Fact and Conclusions of Law, and the Notice of Request for Daily Transcript or Real Time Reporting of the Court, be extended to January 22, 2010.

This extension would give the parties time to complete the necessary briefing.

WHEREFORE, Plaintiff Performance Pricing, Inc. and Defendants Google Inc., AOL LLC respectfully request that this Court extend the deadlines as outlined above.

Dated: December 11, 2009

Respectfully submitted,

By: /s/ Richard E. Lyon

Richard E. Lyon
CA State Bar No. 229288
Email: rick@dovellaw.com
Gregory S. Dovel
CA State Bar No. 135387
Email: greg@dovellaw.com
Sean Luner
CA State Bar No. 165443
Email: sean@dovellaw.com
Dovel & Luner, LLP
201 Santa Monica Blvd., Suite 600
Santa Monica, CA 90401
Telephone: 310-656-7066
Facsimile: 310-657-7069

S. Calvin Capshaw
State Bar No. 03783900
Elizabeth L. DeRieux
State Bar No. 05770585
Capshaw DeRieux, L.L.P.
Energy Centre
1127 Judson Road, Ste 220
P. O. Box 3999 (75606-3999)
Longview, Texas 75601-5157
Telephone: (903) 236-9800
Facsimile: (903) 236-8787
Email: capshaw@capshawlaw.com
Email: ederieux@capshawlaw.com

Robert M. Parker
State Bar No. 15498000
Email: rmparker@cox-internet.com
Robert Christopher Bunt
State Bar No. 00787165
Email: cbunt@cox-internet.com
Parker & Bunt, P.C.
100 East Ferguson, Ste. 1114

Tyler, TX 75702
Telephone: 903/531-3535
Facsimile: 903/533-9687

**ATTORNEYS FOR PLAINTIFF
PERFORMANCE PRICING, INC.**

DATED: December 8, 2009

/s/ Jamie Lisagor

Jamie Lisagor
jamielisagor@quinnemanuel.com
Charles K. Verhoeven
charlesverhoeven@quinnemanuel.com
David A. Perlson
davidperlson@quinnemanuel.com
Jennifer A. Kash
jenniferkash@quinnemanuel.com
Antonio R. Sistos
antoniosistos@quinnemanuel.com
Emily C. O'Brien
emilyobrien@quinnemanuel.com
QUINN EMANUEL URQUHART
OLIVER
& HEDGES, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: 415.875.6600
Facsimile: 415.875.6700

David J. Beck
Texas Bar No. 00000070
dbeck@brsfirm.com
Michael E. Richardson
State Bar No. 24002838
mrichardson@brsfirm.com
Beck, Redden & Secrest, L.L.P.
One Houston Center
1221 McKinney St., Suite 4500
Houston, TX. 77010
(713) 951-3700
(713) 951-3720 (Fax)

**ATTORNEYS FOR DEFENDANTS
GOOGLE INC. and AOL LLC**

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 11th day of December, 2009, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Richard E. Lyon
Richard E. Lyon