

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-RRR
(Eastern District of Texas)

JURY TRIAL DEMANDED

DEFENDANTS' UNOPPOSED MOTION TO EXTEND DEADLINES

Defendants Google Inc. and AOL LLC respectfully file this Unopposed Motion seeking the extension of the summary judgment motion briefing schedule as follows:

Regarding Plaintiff's Motions for Summary Judgment, filed November 23, 2009, Defendants' Oppositions would be due December 30, 2009, and Plaintiff's Replies would be due January 20, 2010.

This extension would give the parties time to complete the necessary briefing, in particular due to the illness of one of the attorneys for Defendants.

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

DATED: December 28, 2009

/s/ Emily C. O'Brien

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Attorneys for Defendants
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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 December 28, 2009.

/s Emily C. O'Brien

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