

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

PERFORMANCE PRICING, INC., a Texas	§	
corporation;	§	
Plaintiff,	§	CASE NO. 2:07CV432
	§	
vs.	§	
	§	
GOOGLE INC., a Delaware corporation;	§	
AOL LLC, a Delaware limited liability	§	
company; MICROSOFT CORPORATION,	§	
a Washington corporation; YAHOO! INC.,	§	
a Delaware corporation;	§	
Defendants.	§	

**MOTION TO WITHDRAW AS COUNSEL**

Harry L. Gillam, Jr. of Gillam and Smith respectfully moves to be permitted to withdraw as counsel for Defendant, AOL, LLC, in the above-captioned case.

WHEREFORE, PREMISES CONSIDERED, Harry L. Gillam, Jr. of Gillam and Smith, respectfully moves this Court to permit him withdrawal from representation of Defendant, AOL, LLC, in this case.

Dated: March 18, 2008

Respectfully submitted,

GILLAM & SMITH, LLP

/s/

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ATTORNEYS FOR DEFENDANT  
AOL LLC

**CERTIFICATE OF CONFERENCE**

The undersigned hereby certifies that counsel for Defendant and counsel for Plaintiff conferred on March 18, 2008 and Plaintiff does not oppose this motion.

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/s/  
Harry L. Gillam, Jr.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this 18<sup>th</sup> day of March, 2008.

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/s/  
Harry L. Gillam, Jr.