

**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 Entry of Proposed Docket Control Order**

The parties have reached an agreement on a proposed Docket Control Order. The parties jointly request that the Court issue the attached proposed order.

Dated: May 13, 2008

Respectfully submitted,

By: /s/ Christin Cho

Christin Cho

CA State Bar No. 238173

Email: christin@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

Franklin Jones, Jr.  
State Bar No. 00000055  
Email: maizieh@millerfirm.com  
Jones & Jones, Inc., P.C.  
201 W. Houston St.  
P.O. Drawer 1249  
Marshall, TX 75670

Otis W. Carroll, Jr.  
State Bar No. 03895700  
Email: fedserv@icklaw.com  
6101 S. Broadway, Suite 500  
Tyler, TX 75703

ATTORNEYS FOR PLAINTIFF  
PERFORMANCE PRICING, INC.

By: /s/ Jeffrey S. Love

KLARQUIST SPARKMAN, LLP  
121 E.W. Salmon St., Suite 1600  
Portland, OR 97204  
Telephone: 503-595-530  
Facsimile: 503-595-5301  
Email: jeffrey.love@klarquist.com  
ATTORNEYS FOR DEFENDANT  
A9.COM, INC.

By: /s/ Jennifer a. Kash  
QUINN EMANUEL URQUHART  
OLIVER & HEDGES, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111  
Telephone: 415.875.6600  
Facsimile:415.875.6700  
Email:  
jenniferkash@quinnemanuel.com  
ATTORNEYS FOR DEFENDANT  
AOL, LLC

By: /s/ Jennifer a. Kash  
QUINN EMANUEL URQUHART  
OLIVER & HEDGES, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111  
Telephone: 415.875.6600  
Facsimile:415.875.6700  
Email:  
jenniferkash@quinnemanuel.com  
ATTORNEYS FOR DEFENDANT  
GOOGLE, INC.

By: /s/ Jennifer a. Kash  
QUINN EMANUEL URQUHART  
OLIVER & HEDGES, LLP  
50 California St., 22nd Floor  
San Francisco, CA 94111  
Telephone: 415-875-6600  
Facsimile: 415-875-6700  
Email:  
jenniferkash@quinnemanuel.com  
ATTORNEYS FOR DEFENDANT  
IAC SEARCH & MEDIA, INC.

By: /s/ Richard A. Cederth  
SIDLEY AUSTIN LLP

One South Dearborn  
Chicago, IL 60603  
Telephone: 312-853-7000  
Facsimile: 312-853-70363  
Email: rcederoth@sidley.com  
ATTORNEYS FOR DEFENDANT  
MICROSOFT CORPORATION

By:  /s/ John F. Bufe  
P.O. Box 359 (75710)  
110 N. College Ave.  
500 Plaza Tower  
Tyler, Texas 75702  
Telephone: 903.597.8311  
Facsimile: 903.593.0846  
Email: johnbufe@potterminton.com  
Morrison & Foerster, LLP  
425 Market Street  
San Francisco, CA 94105  
ATTORNEYS FOR DEFENDANT  
YAHOO!, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 13th day of May, 2008, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Christin K. Cho  
Christin K. Cho