

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

Judge David Folsom

PA ADVISORS et al

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V.

)

CIVIL NO.2:07CV480

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GOOGLE, etal

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)

ATTORNEY FOR PLAINTIFFS:

Andrew Spangler, Michael Cook

ATTORNEY FOR DEFENDANTS:

Brian Cannon, Michael Richardson for Google

Jason White for Yahoo

J Thad Heartfield for Facebook

Matt Orwig for ContextWeb

Trey Yar for Specific Media

Bill Lavender for Fast Search

Robert Fluskey Jr for Seevast

Melissa Smith for WWP Group & 24/7

LAW CLERK:

Grant Yang

COURTROOM DEPUTY:

Rhonda Lafitte

COURT REPORTER:

Libby Crawford

STATUS CONFERENCE

July 24, 2008 @ 10:00am

OPEN: 10:00 AM

ADJOURN: 10:18 AM

10:00 Court convenes for status conference. Ct has heard there is some talk of working out some of the issues; ct got case from Judge Ward and would like to hear a review of what's happened in the case; 10:02 Mike Cook for Pltf, reviews case, advises that the technology involves web searches; Ct asks about claims; Cook advises there are 2 independent claims; Ct asks if there are limitation problems; Brian Cannon for Google gives a review of the case; advises that it is patent specific; patent deals with the development of a psychological profile based on the grammatics of the search; whether done in sentences, etc. Ct asks if a technical advisor is needed; Cook for pltf says no; Cannon for Dft says no. Ct says ok no technical advisor needed; Will normal discovery

limits apply; are there issues with this? Pltf advises that disputes have been worked out, 20 comm, 10 individual; 100 hours of deposition total; Ct asks if normal limitations are known; Plts advised there are many parties in discovery; Ct wants to know thoughts on this; Pltf wants to wait on discovery to see how many issues are resolved; 10:07 Ct has no disagreement - "X" number hours, but some time limits are needed; Pltf responds this will be worked out; Ct says go forth with your suggestion; Ct asks about the normal practice on motions and protective order; Pltf & dft advise protective order is to be sent in by 8/18/08. Ct advises that ct will issue a protective order based on either the proposed agreed order or a combination of the two proposed orders; Dft advised that the source code will not be produced at that time; Ct advises this could be an issue; Ct suggests September 9, 2009 for claim construction hearing and asks how much time will be needed per side; Pltf advises 1 ½ hrs; dft advises 2 - 3 hours; ct gives each side 2 hours; Ct asks if tutorial is needed? Pltf says no; Dft says no; Ct says hearing will start at 9:00 AM; 10:09 Ct advises there are 4 motions on 6 month list; Google has motion to dismiss; Facebook has motion to dismiss or for more def stmt; yahoo has motion to dismiss first amd cmp; can we dismiss w/o prejudice? Dft Context - Mat Orwig advises working on settlement and can be dismissed w/o prejudice; Ct asks Facebook motion; Thad Heartfield advises there should be settlement; 10:13 Ct advises that is 2 of 4; Regarding motion to dismiss amd complaint, is a hrg necessary? Yahoo rep by Jason White says can stand on papers, no hrg needed; pltf agrees; Ct asks about trial date? Ct says pltf requests 3/2010 and dft request 10/2010; Pltf advises October is too far away; dft advises there is much activity after the claim const hrg, etc; Ct says trial to be March 2010; Pltf says there were 15 dates in dispute now there are only 7 pr 8 in dispute; ct agreed protective order will fix this. PTC First Monday in March 2010; will worry about length of trial later; 10:17 Ct asks about mediation? Pltf is agreeable; dft no not yet; ct encourages mediation if possible; other topics? Pltf no; dft no; Ct thanks everyone; recess 10:18 Ct adjourned.