

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

**PA ADVISORS, LLC**

**Plaintiff,**

**v.**

**GOOGLE INC., et al.,**

**Defendants.**

**Civil Action No. 2:07-cv-480-TJW**

**JURY**

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**PLAINTIFF'S STATEMENT REGARDING DEFENDANTS' UNOPPOSED MOTION  
TO FILE A SUR-REPLY BRIEF ON CLAIM CONSTRUCTION**

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PA Advisors, LLC (“PA Advisors”) does not oppose Defendants’ Unopposed Motion for Leave to File Sur-Reply Brief on Claim Construction (Docket No. (“D.N.”) 265). The substance of Defendants’ proposed sur-reply is that Defendants’ Response (D.N. 255) altered Defendants’ proposed constructions for three terms from the constructions for those terms included in the parties’ Joint Claim Construction Statement (D.N. 232). Those changes to Defendants’ proposed constructions are immaterial to PA Advisors’ arguments regarding those terms as stated in the Opening Brief (D.N. 248) and Reply Brief (D.N. 258) regarding claim construction, which still apply with equal force.

Dated: September 3, 2009

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served on September 3, 2009 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.

Dated: September 3, 2009

/s/ Marc A. Fenster  
Marc A. Fenster