

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

PA ADVISORS, LLC,

Plaintiff,

GOOGLE INC., ET AL.,

Defendants.

CASE NO. 2-07CV-480-DF

JURY TRIAL DEMANDED

Honorable David Folsom, Presiding

**UNOPPOSED MOTION TO AMEND DOCKET CONTROL ORDER**

TO THE HONORABLE JUDGE OF THIS COURT:

Defendant Google Inc. (“Google”) on behalf of the parties in this action files this unopposed motion to amend the docket control order entered on August 25, 2008, to reflect the following changes:

1. This case is set for trial in March 2010. On September 30, 2009, this Court issued its claim construction order. The pretrial dates are set from the September 30, 2009 date. In order to provide sufficient time to complete pretrial tasks before March 2010, the parties agree to and propose modifications to the Docket Control Order set forth in redline in Exhibit A. Exhibit B contains a clean version of the Amended Docket Control Order.

2. In addition, in order to provide time to complete the disclosure of expert reports before filing any objections or *Daubert* motions related to proposed expert witness testimony, the parties request that the Court lift the requirement that the parties must seek permission to file *Daubert* motions 60 days before the deadline for dispositive motions. The 60 day requirement

would mean that letter briefs seeking permission to file *Daubert* motions would have been due before the disclosure of expert testimony.

3. The extension of these deadlines will not affect the date set for trial by this Court.

Based on the foregoing, the parties respectfully request that the Court grant the requested extensions.

DATED: November 4, 2009

Respectfully submitted,

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ATTORNEYS FOR GOOGLE INC.

**CERTIFICATE OF CONFERENCE**

Counsel for Google discussed this Motion with counsel for Plaintiff and counsel for defendant Yahoo!, and all parties agree to the Motion.

/s/ Brian C. Cannon

Brian C. Cannon

**CERTIFICATE OF SERVICE**

The undersigned 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 are deemed to have consented to electronic service as of the date of filing. Local Rule CV-5(a)(3)(A).

/s/ Brian C. Cannon

Brian C. Cannon