

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

PA ADVISORS, LLC,	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 2:07-cv-480-RRR
	§	
GOOGLE INC., et al.,	§	
	§	JURY TRIAL DEMANDED
Defendants.	§	

**nXn TECH, LLC’S RESPONSE TO YAHOO! INC.’S MOTION IN LIMINE NUMBER 5**

nXn Tech, LLC (f/k/a PA Advisors, LLC) (“nXn”) respectfully files this response in opposition to Yahoo! Inc’s Motion in Limine No. 5 (“Motion”), regarding the scope of expert witness testimony.

nXn agrees that all parties (nXn, Yahoo and Google) should be bound by a motion in limine on this topic, limiting expert testimony at trial to the information within the four corners of the expert’s report. nXn and Yahoo have agreed that such a Motion in Limine is acceptable but as of the time in which these responses had to be filed, the precise language for such a motion in limine could not yet be reached. Counsel to Google informed nXn during a meet and confer that Google is opposed to a Motion in Limine limiting experts to the four corners of their expert reports. nXn is amenable to a motion in limine covering nXn, Yahoo and Google, that has language substantially similar to comparable language that nXn proposed in its own Motion in Limine on this topic, Motion in Limine No. 14.

Dated: February 25, 2010

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I certify that the foregoing Response to Yahoo!'s Motion in Limine No. 5 was served via the Court's CM/ECF system, on this 25th day of February 2010.

\s\ Elizabeth A. Wiley  
Elizabeth A. Wiley