

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

PA ADVISORS, LLC,

Plaintiff,

v.

CASE NO. 2:07-CV-480 (TJW)

GOOGLE INC., et al.

JURY TRIAL DEMANDED

Defendants.

**DEFENDANT YAHOO! INC.'S MOTION TO DISMISS
PLAINTIFF'S FIRST AMENDED COMPLAINT, OR
IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT**

Defendant Yahoo! Inc. ("Yahoo!") hereby moves, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, to dismiss the claims against Yahoo! in Plaintiff PA Advisors' First Amended Complaint for the reasons stated in Yahoo!'s opening motion and reply. Dkt. Nos. 33 and 75. In the alternative, Yahoo! hereby moves for a more definite statement of Plaintiff's claims against Yahoo! in the First Amended Complaint, pursuant to Rule 12(e) of the Federal Rules of Civil Procedure, for the reasons stated in Yahoo!'s opening motion and reply. *Id.* Pursuant to Rule 12(b), Yahoo! files this motion in lieu of an answer and without waiving its right to answer the allegations in the Plaintiff's First Amended Complaint.

Dated: January 25, 2008

Respectfully submitted,

/s/ John F. Bufe
John F. Bufe

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ATTORNEYS FOR YAHOO! INC.

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 25TH day of January 2008. Any other counsel of record will be served by first class U.S. mail on this same date.

/s/ John F. Bufe _____
John F. Bufe