

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

**NORTHEASTERN UNIVERSITY and
JARG CORPORATION**

Plaintiffs,

v.

GOOGLE, INC.

Defendant.

CIVIL ACTION NO. 2:07-CV-486-CE

JOINT MOTION TO EXTEND TIME

Plaintiffs Northeastern University and Jarg Corporation (“Plaintiffs”) and Defendant Google Inc. (“Google”) hereby jointly move this Court for an extension of time for the deadline to produce all liability related documents, an extension of time for the deadline for P. R. 4 disclosures and briefing, and an extension of time for discovery on claim construction issues.

As set forth in the Court’s May 11, 2009 Order, “the parties are granted until and including June 5, 2009 to produce a copy of all documents, electronically stored information, and tangible things in the possession, custody, or control of the party that are relevant to liability related issues involved in this action.” Dkt. No. 57. The parties seek a roughly one month extension—until July 2, 2009—of that deadline.

Both parties have been cooperating to aid in the identification of liability related materials and have made substantial progress in their production.

As set forth in the Court’s August 21, 2008 Docket Control Order, the deadline for complying with P. R. 4-2 is June 12, 2009; the deadline for complying with P. R. 4-3 is July 10, 2009; the discovery deadline for claims construction issues is August 14, 2009; the deadline for

complying with P. R. 4-5(a) is September 4, 2009; the deadline for complying with P. R. 4-5(b) is October 2, 2009; and the deadline for complying with P.R. 4-5(c) is October 26, 2009. Dkt.

No. 33. The parties seek a seven week extension of these deadlines as follows:

| | |
|-------------------|--|
| December 14, 2009 | Comply with P.R. 4-5(c) |
| November 20, 2009 | Comply with P. R. 4-5(b). |
| October 23, 2009 | Comply with P. R. 4-5(a). |
| October 2, 2009 | Discovery deadline-claims construction issues. |
| August 28, 2009 | Comply with P. R. 4-3. |
| July 31, 2009 | Comply with P. R. 4-2. |

The extension will not affect the resolution of this matter – the claim construction hearing is not until October 6, 2010 – or other dates in the Court’s Docket Control Order or Discovery Order.

Good cause exists for this Motion, and this Motion is not sought for purposes of delay.

Dated: June 4, 2009

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Respectfully submitted,

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***Counsel for Plaintiffs Northeastern
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to 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 June 4, 2009. Any other counsel of record will be served by first class mail on this same date.

/s/ Francis Albert

Francis Albert