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

IP INNOVATION L.L.C. AND TECHNOLOGY LICENSING CORPORATION,		) )	CASE NO. 2:07cv503-LED
CORFORATION,		~	CASE NO. 2.0700505-LED
Pla	intiffs,	)	
		)	JURY TRIAL DEMANDED
V.		)	
		)	
GOOGLE INC.,		)	
		)	
Def	fendant.	)	

### AGREED MOTION FOR LEAVE TO AMEND DATE FOR COMPLETION OF MEDIATION

Plaintiffs hereby move this Court to amend the June 5, 2008 Docket Control Order solely with respect to the date for completion of mediation from December 10, 2008 to January 31, 2009. In support this motion, the parties state as follows:

1. The parties have conferred with Ms. Hesha Adams (the mediator assigned to the case pursuant to the Docket Control Order).

2. Due to scheduling conflicts of the parties and the mediator, there were no mutually available dates for all the parties in either November or December (i.e., prior to the Docket Control Order deadline).

3. The parties and Ms. Abrams, however, have lined up January 21, 2009 at Ms. Abrams' office as an agreeable date to conduct a good faith mediation as required by the Docket Control Order.

4. Defendant Google has agreed to the filing of the present motion.

5. Therefore, for the reasons stated herein, Plaintiffs respectfully request this Court

amend the Docket Control Order solely with respect to the date for completion of mediation from December 10, 2008 to January 31, 2009.

Respectfully submitted,

/s/ Paul C. Gibbons Raymond P. Niro Joseph N. Hosteny Arthur A. Gasey Paul C. Gibbons Douglas M. Hall David J. Mahalek NIRO, SCAVONE, HALLER & NIRO 181 West Madison, Suite 4600 Chicago, Illinois 60602 Telephone: (312) 236-0733 Facsimile: (312) 236-3137

T. John Ward Ward & Smith 111 W. Tyler St. Longview, Texas 75601 Telephone: (903) 757-6400 Toll Free (866) 305-6400 Facsimile: (903) 757-2323

# ATTORNEYS FOR IP INNOVATION L.L.C. and TECHNOLOGY LICENSING CORPORATION

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing AGREED MOTION FOR LEAVE

## TO AMEND DATE FOR COMPLETION OF MEDIATION was served electronically on

the below listed on November 6, 2008.

David J. Beck Texas Bar No. 00000070 <u>dbeck@brsfinn.com</u> Michael E. Richardson Texas Bar No. 24002838 <u>mrichardson@brsfirm.com</u> BECK, REDDEN & SECREST, L.L.P. One Houston Center 1221 McKinney St., Suite 4500 Houston, Texas 77010 (713) 951-3700 (713) 951-3720 (Fax)

John H. Hintz Victor F. Souto Ross E. Firsenbaum WILMER CUTLER PICKERING HALE AND DORR LLP 399 Park Avenue New York, NY 10022 (212) 230-8880 (212) 230-8888 (Fax) Mark G. Matuschak Richard A. Goldenberg WILMER CUTLER PICKERING HALE AND DORR LLP 60 State Street Boston, MA 02109 (617) 526-6000 (617) 526-5000 (Fax)

Elizabeth I. Rogers Anna T. Lee WILMER CUTLER PICKERING HALE AND DORR LLP 1117 California Avenue Palo Alto, CA 94304 (650) 858-6042 (650) 858-6100 (Fax)

/s/ Paul C. Gibbons