

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

SOFTWARE RIGHTS ARCHIVE, LLC

v.

**GOOGLE INC., YAHOO! INC., IAC
SEARCH & MEDIA, INC., AOL, LLC,
AND LYCOS, INC.**

Civil Case No. 2:07-cv-511 (CE)

JOINT MOTION TO FURTHER EXTEND CERTAIN SCHEDULING DEADLINE

Come now Plaintiff Software Rights Archive, LLC (“SRA”) and Defendant Yahoo! Inc. (“Yahoo!”) to file this Joint Motion to Further Extend Certain Scheduling Deadline, and in support of same would show the Court as follows:

1. SRA and Yahoo! have reached agreement to extend a scheduling deadline in this matter. The current deadline and the agreed to extended deadline appear in the below chart:

<u>EVENT</u>	<u>CURRENT DEADLINE</u>	<u>AGREED TO EXTENDED DEADLINE</u>
Plaintiff will determine which of Defendants’ modules (or portions of Defendants’ systems), if any, contain Source Code that it contends in good faith should be produced. Plaintiff will identify these modules (or portions of Defendants’ systems) in writing to Defendants on or before January 8, 2010. Plaintiff’s identification of modules (or portions of Defendants’ systems) shall not constitute an admission as to which modules (or portions of Defendants’ systems) are	January 8, 2010	February 15, 2010

<p>relevant to the case, but rather shall merely identify the modules (or portions of Defendants' systems) as to which, as of that date, Plaintiff believes in good faith it needs access to Source Code. Defendants reserve the right to object to any such identification from Plaintiff. At that time, the parties will attempt in good faith to agree on reasonable limits as to the manner, location, and quantity with regard to printing of any of the production. Nothing herein shall preclude Plaintiff from seeking further discovery relating to Defendants' Source Code or shall obligate Defendants to acquiesce to such discovery. Nothing in this Order shall obligate the parties to produce or relieve the parties from producing any Source Code or constitute an admission that any particular source code or object code is, or is not, discoverable.</p>		
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2. SRA and Yahoo! are working to reach agreement to narrow the scope of Yahoo!'s Source Code for production. Yahoo! is currently under no obligation to produce all of its Source Code for its accused system in this matter.

3. This case is still in its relatively early stages, and the above agreed to extended deadline will not adversely affect any other of the Court's deadlines. For example, jury selection is not scheduled to occur until May 2, 2011.

This Motion is not sought for delay, but that justice might be done.

WHEREFORE, the parties jointly and respectfully request that the above deadlines be further extended as agreed to by the parties as set forth in the above chart.

Dated: January 7, 2010

Respectfully submitted,

By: /s/ Lee L. Kaplan, with permission by Michael E. Jones

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Attorneys for Defendant YAHOO! INC.

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 7th day of January 2010, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Michael E. Jones
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