

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

FPX, LLC, dba Firepond	§	
Individually and on Behalf of All Others	§	
Similarly Situated	§	
	§	
V.	§	CIVIL NO. 2:09-CV-142(TJW)
	§	
GOOGLE, INC., ET AL.	§	

ORDER

IT IS ORDERED that counsel be prepared to discuss the following at the Scheduling Conference on **October 13, 2009, at 1:50 p.m. in the United States District Court, 100 E.**

Houston Street, Marshall, Texas:

1. Discovery plan for class certification to include number of hours of deposition testimony needed by each party to be ready for a class certification hearing;
2. Status of the exchange of privilege logs and proposed dates for the exchange of privilege logs in the event they have not been exchanged;
3. Issues of fact and law that the Court will need to determine for class certification purposes;
4. Deadline for identifying and filing expert reports;
5. Deadline for *Daubert* and *Kumho* challenges;
6. Deadline for filing any dispositive motions of class certification issues;
7. Date parties will be ready for class certification;
8. Date for the class certification hearing; and
9. Any pending motions.

SIGNED this 22nd day of September, 2009.



 T. JOHN WARD
 UNITED STATES DISTRICT JUDGE