

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

**FPX, LLC, (d.b.a. FIREPOND),
Individually and on Behalf of All Others
Similarly Situated,**

Plaintiff,

v.

- (1) GOOGLE, INC.;**
- (2) YOUTUBE, LLC;**
- (3) AOL, LLC;**
- (4) TURNER BROADCASTING
SYSTEM, INC.;**
- (5) MYSPACE, INC., and**
- (6) IAC/INTERACTIVECORP**

Defendants.

**Civil Action No. 2:09-cv-00142-TJW
CLASS ACTION COMPLAINT**

JURY TRIAL REQUESTED

**THE RODNEY A. HAMILTON LIVING
TRUST and JOHN BECK AMAZING
PROFITS, LLC, Individually and on
Behalf of All Others Similarly Situated,**

Plaintiffs,

v.

- (1) GOOGLE, INC.; AND**
- (2) AOL, LLC**

Defendants.

Civil Action No. 2:09-cv-00151-TJW-CE

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

AGREED MOTION TO MODIFY DOCKET CONTROL ORDER

Plaintiffs FPX, LLC, the Rodney A. Hamilton Living Trust, and John Beck Amazing Profits, LLC, and Defendants Google, Inc., YouTube, LLC, AOL, LLC, Turner Broadcasting System, Inc., MySpace, Inc., and IAC/Interactivecorp (collectively “Movants”) file this Agreed

Motion to Modify the Court's Docket' Control Order entered in this case on November 6, 2009 and respectfully show as follows:

1. The current order states that the deadline for Plaintiffs to designate any expert witness(es) and file a report for any such witness upon whom Plaintiffs intend to rely in support of their Motions for Class Certification is April 30, 2010. Movants request the Court to extend this deadline to June 2, 2010.

2. The current order also states that the deadline for Defendants to designate any such expert witness(es) and file a report for any such witness upon whom Defendants intend to rely in opposition to Plaintiffs' Motions for Class Certification is June 4, 2010. Movants request the Court to extend this deadline to July 7, 2010.

PRAYER

WHEREFORE PREMISES CONSIDERED, Plaintiffs FPX, LLC, the Rodney A. Hamilton Living Trust, and John Beck Amazing Profits, LLC, and Defendants Google, Inc., YouTube, LLC, AOL, LLC, Turner Broadcasting System, Inc., MySpace, Inc., and IAC/Interactivecorp request that the Court grant their Agreed Motion to Modify the Court's Docket' Control Order and grant them any other relief to which they are entitled.

Dated: April 27, 2010

Respectfully submitted,

By: /s/ David P. Whittlesey
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CERTIFICATE OF SERVICE

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served on the 27th day of April, 2010 with a copy of this document via the Court’s CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

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Dated: April 27, 2010

/s/ David P. Whittlesey
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