

**IN THE 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  
CLASS ACTION COMPLAINT**

**JURY TRIAL REQUESTED**

**ORDER GRANTING AGREED MOTION TO MODIFY DOCKET CONTROL ORDER**

Came to be heard the parties' Agreed Motion to Modify the Court's Docket Control Order filed jointly by Plaintiff FPX, LLC and Defendants Google Inc., YouTube, LLC, AOL Inc., Turner Broadcasting System, Inc., MySpace, Inc., and IAC/Interactivecorp. After consideration of the Agreed Motion the Court has determined the motion should be GRANTED and the Court's November 6, 2009 Docket Control Order should be modified.

IT IS THEREFORE ORDERED that the briefing schedule on Defendants' Daubert motion is as follows:

- Plaintiff's Opposition: October 14, 2010
- Defendants' Reply: October 25, 2010
- Plaintiff's Sur-reply: November 4, 2010

IT IS ALSO ORDERED THAT Defendants are permitted twenty (20) pages for their brief in response to Plaintiff's Opposed Motion for Class Certification in this matter.