

**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.

SIGNED this 7th day of October, 2010.



CHARLES EVERINGHAM IV
UNITED STATES MAGISTRATE JUDGE