

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

ALOFT MEDIA, LLC,

Plaintiff,

v.

GOOGLE, INC.

Defendant.

§
§
§
§
§
§
§
§
§
§

Civil Action No. 6:08-CV-440

JURY TRIAL DEMANDED

**MOTION FOR ENTRY OF AGREED DOCKET CONTROL ORDER
AND AGREED DISCOVERY ORDER**

Plaintiff Aloft Media, LLC and Defendant Google, Inc. (collectively, “the parties”), respectfully file this Motion for Entry of Agreed of Docket Control Order and Agreed Discovery Order, and in support thereof would respectfully submit the following:

The parties have reached an agreement as to the proposed Docket Control Order and Discovery Order and respectfully request that the Court enter the attached proposed Orders (attached hereto as Exhibit “A” and Exhibit “B,” respectively).

Respectfully submitted,

<p><u>/s/ Craig Tadlock</u> Eric M. Albritton Texas State Bar No. 00790215 Craig Tadlock Texas State Bar No. 00791766 Adam A. Biggs Texas State Bar No. 24051753 ALBRITTON LAW FIRM P.O. Box 2649 Longview, Texas 75606 (903) 757-8449 (phone) (903) 758-7397 (fax) ema@emafirm.com cct@emafirm.com aab@emafirm.com</p>	<p>Scott E. Stevens State Bar No. 00792024 Kyle J. Nelson State Bar No. 24056031 STEVENS LAW FIRM P.O. Box 807 Longview, Texas 75606 Tel: 903-753-6760 Fax: 903-753-6761 scott@seslawfirm.com kyle@seslawfirm.com</p>
<p>T. John Ward, Jr. Texas Bar No. 00794818 WARD & SMITH LAW FIRM P.O. Box 1231 Longview, TX 75606-1231 Telephone: (903) 757-6400 Facsimile: (903) 757-2323 jw@jwfirm.com</p>	<p>Danny L. Williams Texas State Bar No. 21518050 Chris Cravey Texas State Bar No. 24034398 Matthew R. Rodgers WILLIAMS, MORGAN & AMERSON, P.C. 10333 Richmond, Suite 1100 Houston, Texas 77042 Telephone: (713) 934-4060 Facsimile: (713) 934-7011 danny@wmalaw.com cravey@wmalaw.com mrodgers@wmalaw.com</p>
<p>Jason A. Holt Texas State Bar No. 24041122 Matthew M. Hill Texas State Bar No. 24041101 HILL & HOLT, P.L.L.C. P.O. Box 6945 Longview, TX 75608 (903) 230-7914 (phone) (903) 269-1381 (fax) jholt@hillandholt.com mhill@hillandholt.com</p>	<p><i>ATTORNEYS FOR PLAINTIFF ALOFT MEDIA, LLC</i></p>

<p>Michael E. Jones State Bar No. 10929400 Allen F. Gardner State Bar No. 24043679 POTTER MINTON A Professional Corporation 110 N. College, Suite 500 (75702) P.O. Box 359 Tyler, Texas 75710 (903) 597-8311 (903) 593-0846 (Facsimile) mikejones@potterminton.com allengardner@potterminton.com</p>	<p><u>/s/ Scott T. Weingaertner</u> Robert F. Perry rperry@kslaw.com Scott T. Weingaertner sweingaertner@kslaw.com Christopher C. Carnaval ccarnaval@kslaw.com KING & SPALDING LLP 1185 Avenue of the Americas New York, NY 10036-4003 Telephone: (212) 556-2100 Facsimile: (212) 556-2222</p> <p><i>ATTORNEYS FOR DEFENDANT GOOGLE, INC.</i></p>
--	---

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on this the 13th day of April, 2009.



Craig Tadlock