

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

**ALOFT MEDIA, LLC,**

**Plaintiff,**

**v.**

**YAHOO!, INC., et al.,**

**Defendants.**

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**Civil Action No. 6:08-cv-509**

**JURY TRIAL DEMANDED**

**JOINT MOTION TO EXTEND TIME  
TO SUBMIT PROPOSED DOCKET CONTROL ORDER  
AND DISCOVERY ORDER**

Plaintiff ALOFT MEDIA, LLC (“Plaintiff”) and Defendants YAHOO! INC., and GOOGLE, INC. (hereinafter collectively referred to as “Defendants”) file this Joint Motion to Extend Time to Submit Proposed Docket Control and Discovery Orders, and for their Motion would respectfully show unto the Court the following:

The current deadline to file a proposed Docket Control Order and Discovery Order is April 20, 2009. The parties respectfully request an extension of time up to and including May 1, 2009, in which to file their proposed Docket Control and Discovery Orders. The additional time will increase the chances that the two (2) Orders will be agreed.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff and Defendants respectfully request the Court to grant the extension as set forth herein above.

Respectfully submitted,

<p><b><u>/s/ Craig Tadlock</u></b> 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>
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<p>Jason A. Holt Texas State Bar No. 24041122 Matthew M. Hill Texas State Bar No. 24041101 HILL &amp; 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><b><i>ATTORNEYS FOR PLAINTIFF ALOFT MEDIA, LLC</i></b></p>

<p><b><u>/s/ Brooks M. Beard</u></b>  Michael A. Jacobs (mjacobs@mofo.com)  Lead Attorney  Brooks Beard (bbeard@mofo.com)  MORRISON &amp; FOERSTER LLP  425 Market Street  San Francisco, California 94105  Tel: (415) 268-7000  Fax: (415) 268-7522</p> <p><i>ATTORNEYS FOR YAHOO! INC.</i></p>	<p><b><u>/s/ Scott T. Weingaertner</u></b>  Scott T. Weingaertner  sweingaertner@kslaw.com  Robert F. Perry  rperry@kslaw.com  Christopher C. Carnaval  ccarnaval@kslaw.com  KING &amp; 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 GOOGLE, INC.</i></p>
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### **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 20<sup>th</sup> day of April, 2009.

  
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Craig Tadlock