

ORIGINAL of 100  
APPENDIXES

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

FILED  
U.S. DISTRICT COURT  
NORTHERN DIST. OF TX.  
FT. WORTH DIVISION

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CLERK OF COURT

AMERICAN AIRLINES, INC.,

Plaintiff,

-v.-

YAHOO! INC., and OVERTURE SERVICES, INC.  
d/b/a YAHOO! SEARCH MARKETING,

Defendants.

No. 4-08-CV-626-A

**JOINT MOTION TO SUBSTITUTE**

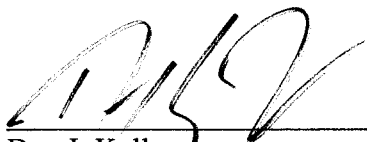
Plaintiff, American Airlines, Inc. ("American") and Defendants, Yahoo! Inc. and Overture Services, Inc. d/b/a Yahoo! Search Marketing ("Yahoo!"), respectfully request that Dkt. Nos. 153-159 be stricken and substituted with the five volume set of documents referenced in the Court's November 2, 2009 Order and presented for filing with this Motion.

The Court's November 2, 2009 Order [Dkt. No. 146] referenced "two sets of documents (five volumes in each set), each titled 'Appendix in Support of Memorandum of Law in Opposition to Defendant Yahoo's Motion for Summary Judgment'" and requested that the parties inform the Court if these documents should be filed. In conjunction with the two volumes filed under seal pursuant to the Court's November 2<sup>nd</sup> Order [Dkt. Nos. 149-150], these five volumes constitute the entirety of American's appendix in support of its opposition to Yahoo's motion for summary judgment and need to be filed. The seven-volume appendix [Dkt. Nos. 153-159], which was not filed under seal, is duplicative of the five volumes the parties seek

to have filed by this motion, and contains confidential documents the Court has ordered filed under seal in its November 2, 2009 Order.

Accordingly, the parties respectfully request that the seven-volume appendix comprising Dkt. Nos. 153-159 be unfiled and stricken from the docket and that the five volumes submitted with this motion be filed in their place.

Respectfully submitted,

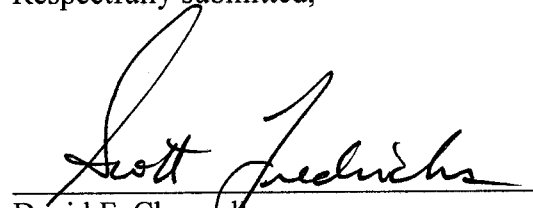


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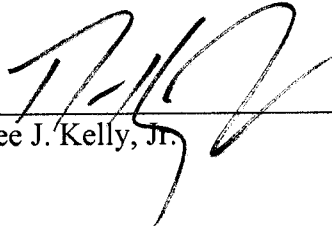
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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served on Defendants' counsel,  
via fax, on the 12<sup>th</sup> day of November, 2009:

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