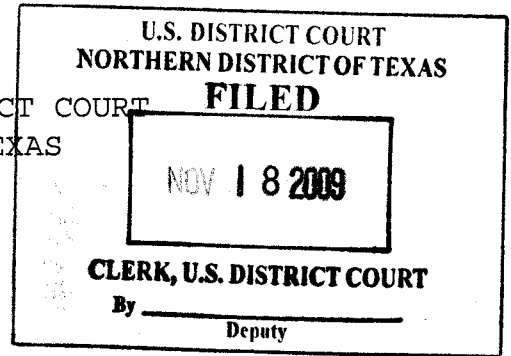


IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION



AMERICAN AIRLINES, INC., §
§
Plaintiff, §
§
VS. § NO. 4:08-CV-626-A
§
YAHOO! INC., ET AL., §
§
Defendants. §

ORDER SETTING HEARING

The court has concluded that a hearing should be held on the motion filed by plaintiff, American Airlines, Inc., on September 23, 2009, for sanctions for failure to produce and preserve documents. Therefore,

The court ORDERS that a hearing be held on such motion commencing at 10:00 a.m. on Monday, November 23, 2009, in the Fourth Floor Courtroom of the United States Courthouse, Fort Worth, Texas, at which time, date, and place lead counsel for each party and all witnesses to be used by each party at the hearing are to be present.

The court FURTHER ORDERS that:

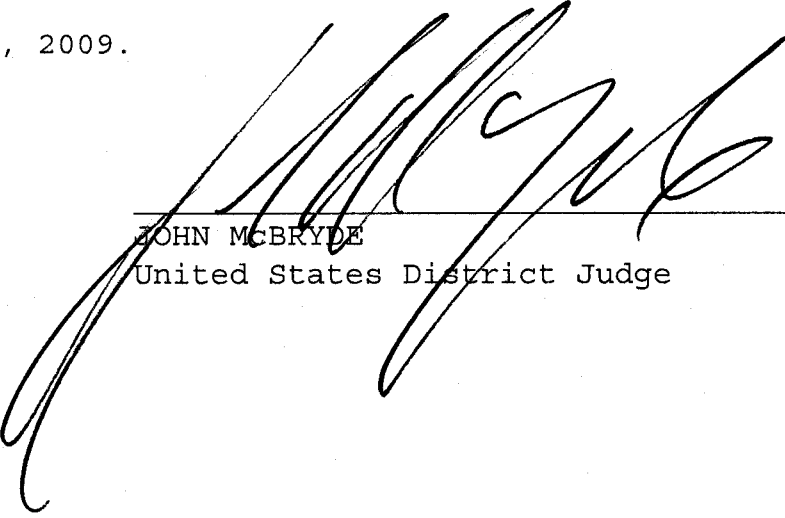
- (1) By 2:00 p.m. on November 20, 2009, plaintiff and each defendant shall file a witness list and an exhibit list.

- (2) The parties shall not file exhibits prior to the hearing, but shall have the originals and one copy thereof available immediately prior to the hearing. Each exhibit that will be offered at the hearing shall bear the case number of this action in addition to the exhibit number and identity of offering party.
- (3) The witness list shall be accompanied, when it is filed, by a statement as to each witness of each subject matter upon which the witness will be asked to testify. The witness list shall include one column bearing the heading "Sworn" and another bearing the heading "Testified" to help the court keep track of the witnesses at the hearing.
- (4) The exhibit list shall be accompanied, when it is filed, by a statement signed by counsel for each party, other than the party who will be offering the exhibit, stating as to each exhibit shown on the list either that the parties agree to the admissibility of the exhibit or the nature and legal basis of any objection that will be made to the admissibility of the exhibit and the identity of the party or parties who will be urging the objection. All parties are required to

cooperate in causing such statements to be prepared in a timely manner for filing with the exhibit lists. The party proposing to offer an exhibit shall be responsible for coordinating activities related to preparation of such a statement as to the exhibit such party proposes to offer. No exhibit will be offered at the hearing unless such a statement has been timely filed as to the exhibit. The exhibit list shall include one column bearing the heading "Offered" and another bearing the heading "Admitted."

- (5) No party is permitted to adopt as, or in, the party's witness list or exhibit list all or any part of the witness list or exhibit list of the other party.

SIGNED November 18, 2009.



JOHN MCBRYDE
United States District Judge