

ORIGINAL

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

NOV 25 2009

CLERK, U.S. DISTRICT COURT

By _____
Deputy

MINUTE ORDER - TELEPHONE CONFERENCE

JUDGE : McBryde
LAW CLERK: Taylor Brinkman
COURT REPORTER: Eileen Brewer

Case No.: 4:08-CV-626-A, *American Airlines, Inc. v. Yahoo! Inc., et al.*

Date Held: November 25, 2009

Time: 3:02 p.m. - 3:48 p.m.

Present for the Plaintiff: Frederick Brown, Dee Kelly, Jr., Lars Berg, Jason Stavers

Present for the Defendants: Michael Jacobs, Brooks Beard, Alison Tucher, Tony Rodriguez, Daniel Muino, David Chappell, Scott Fredericks

OTHER INFORMATION:

- Evidence relevant to the subject matter of the second motion for sanctions can be used in the 11/30/2009 hearing, as long as the evidence relates to the grounds asserted in the original motion for sanctions.
- Leave granted to plaintiff to file a new witness list within one (1) hour after the conclusion of the telephone conference.
- Leave granted to defendants to file objections to plaintiff's exhibits within one (1) hour after the conclusion of the telephone conference.
- Leave granted to defendants to file a supplemental witness list within one (1) hour after the conclusion of the telephone conference.

- Settlement Progress:
 - If parties reach a settlement prior to the time of the hearing on 11/30/2009, parties should notify the court and the court reporter.
- Hearing Procedures:
 - Each ground of plaintiff's motion will be tried separately; witnesses will testify only to the ground being addressed at the time.
 - Within the trial of each ground, information will be presented in the following manner: First, plaintiff will introduce evidence that the information at issue was requested by the plaintiff. Second, defendants will introduce evidence showing their response to plaintiff's request. Third, each side may present other evidence in support of each side's respective position. Fourth, attorneys for each side may present argument in support of each side's respective position.
 - Any party wishing to seal a document being introduced into evidence must make it known to the court, at the time the document is introduced, that it would like the document to be sealed.