

ORIGINAL

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
**FILED**  
DROP BOX  
NOV 25 2009  
4:37  
CLERK, U.S. DISTRICT COURT  
By \_\_\_\_\_  
Deputy

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

AMERICAN AIRLINES, INC.,

Plaintiff,

-v.-

Case No. 4:08-CV-626-A

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

Defendants.

**DEFENDANTS' SUPPLEMENTAL WITNESS LIST FOR  
NOVEMBER 30, 2009 HEARING**

In accordance with the Court's November 19, 2009 Order and permission granted by the Court during the November 25, 2009 telephone conference, Defendants Yahoo! Inc. and Overture Services, Inc. d/b/a Yahoo! Search Marketing (collectively, "Yahoo!") provide this supplemental Witness List for the November 30, 2009 hearing in this case. This list is intended to supplement the one submitted by Yahoo! earlier today.

<u>Witness</u>	<u>Subject Matter of Testimony</u>	<u>Sworn</u>	<u>Testified</u>
Michael Jacobs	The human review of Yahoo!'s production conducted in August 2009, pursuant to the Court's August 4, 2009 Order. The overall scope and expense of Yahoo!'s data and document collection efforts in this case, include outside counsel expenses. The number of screenshots produced by American of Yahoo!'s search results pages. Mr. Jacobs provided an October 12, 2009 Declaration (Exhibit D13) in opposition to American's motion for sanctions.		

<u>Witness</u>	<u>Subject Matter of Testimony</u>	<u>Sworn</u>	<u>Testified</u>
Brooks Beard	Yahoo!'s efforts to collect and produce data and documents in September, October, and November 2009, including documents underlying studies cited in American's motion for sanctions. Yahoo!'s meet and confer efforts with American's counsel on discovery issues raised in American's motion.		
Daniel Muino	Yahoo!'s efforts to collect and produce data and documents from February to November 2009, including impressions data, documents for the 18 Yahoo! employees listed in American's motion for sanctions, data and documents underlying studies cited in American's motion for sanctions, and user complaint documents related to the particular "Frequently Asked Question" cited in American's motion for sanctions. Yahoo!'s meet and confer efforts on discovery issues raised in American's motion. Mr. Muino provided an October 12, 2009 Declaration (Exhibit D30) in opposition to American's motion for sanctions.		
Diana Kruze	The human review of Yahoo!'s production conducted in August 2009, pursuant to the Court's August 4, 2009 Order.		

Respectfully submitted,



---

David F. Chappell  
Texas State Bar No. 04141000  
Scott A. Fredricks  
Texas State Bar No. 24012657  
CANTEY HANGER LLP  
Cantey Hanger Plaza  
600 West Sixth Street, Suite 300  
Fort Worth, Texas 76102  
Telephone: (817) 877-2800  
Fax: (817) 877-2807

Michael A. Jacobs (*pro hac vice*)  
D. Anthony Rodriguez (*pro hac vice*)  
Alison M. Tucher (*pro hac vice*)  
Brooks M. Beard (*pro hac vice*)  
Lynn M. Humphreys (*pro hac vice*)  
Daniel P. Muino (*pro hac vice*)  
MORRISON & FOERSTER LLP  
425 Market Street  
San Francisco, CA 94105-2482  
Telephone: (415) 268-7000  
Fax: (415) 268-7522

---

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

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served on Plaintiff's counsel on the 25th day of November, 2009 as follows:

Dee J. Kelly  
Dee J. Kelly, Jr.  
Lars L. Berg  
KELLY HART & HALLMAN, LLP  
201 Main Street, Suite 2500  
Fort Worth, TX 76102

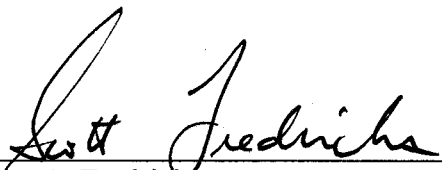
*Via Fax and Email*

Frederick Brown  
George A. Nicoud III  
Jason Stavers  
GIBSON, DUNN & CRUTCHER LLP  
555 Mission Street, Suite 3000  
San Francisco, CA 94105

*Via Fax and Email*

Howard S. Hogan  
GIBSON, DUNN & CRUTCHER LLP  
1050 Connecticut Avenue, N.W.  
Washington, DC 20036

*Via Fax and Email*

  
\_\_\_\_\_  
Scott A. Fredricks