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Attorneys for defendant Bloosky Interactive LLC

**IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

GOOGLE INC., a Delaware corporation,

Plaintiff,

v.

BLOOSKY INTERACTIVE, LLC, a
 Nevada limited liability company, and
 DOES 2-50,

Defendant.

**[PROPOSED] AMENDED
 SCHEDULING ORDER**

Case No. 09-cv-1068-BSJ

District Judge Bruce S. Jenkins

In light of changes in the case, including the addition of new third-party claims, the likely addition of other new parties, and defendant Bloosky Interactive, LLC's retention of new counsel, the Court, having considered the Stipulated Motion filed herewith and for good cause appearing, HEREBY ORDERS that:

1. The scheduling order entered on July 20, 2010 is hereby vacated.

2. Amendment of Pleadings and Addition of Parties. The cutoff date for filing a motion to amend the pleadings and/or to join additional parties shall be January 14, 2011.

3. Discovery Plan:

a. Except for distinguishing between fact discovery and expert discovery as outlined below, discovery will not be conducted in phases nor will particular issues be focused.

b. Discovery Limitations. (1) Depositions: 20 depositions by Plaintiff(s) and 20 depositions by Defendant(s), exclusive on both sides of any expert depositions; 7 hours per each deposition (unless extended by agreement of the parties); (2) Interrogatories: 40 interrogatories by any Party to any Party; (3) Request for Admissions: no limit; and (4) Requests for Production: 50 requests for production by any Party to any Party.

c. Claims of Privilege. A two-tiered Protective Order was entered on May 28, 2010 between Google and Defendant Pacific Webworks. Bloosky reserves the right to seek to modify the existing Protective Order or move for a new protective order, if necessary.

d. Expert Reports. Reports from experts under Rule 26(a)(2) will be submitted by the Plaintiff and Defendant(s) by June 17, 2011. The Parties jointly propose that counter-reports must be submitted by July 29, 2011.

e. Fact Discovery and Expert Discovery Cutoffs: Fact discovery will close on April 21, 2011, and expert-discovery will close on September 16, 2011. The

deadline for filing dispositive or potentially dispositive motions and Daubert motions will be October 21, 2011.

f. Electronic Discovery. The Parties shall cooperate with each other to produce documents and electronically stored information in a file format that is reasonable and requested by the other party.

4. A Pre-Trial Hearing will be held December 16, 2011 at 9:30 a.m.

5. An agreed-to-form Pretrial Order, signed by counsel for the Parties (even if the Parties disagree on content), shall be submitted by December 9, 2011. The Order shall contain a list of all disputed issues of law as well as a list of all disputed issues of fact. The Pretrial Order shall also include a list of witnesses and exhibits that supports each sides' affirmative claims and defenses.

6. The parties have engaged in dialog regarding potential settlement and believe that there is a fair possibility for settlement. This case should be referred to the Court's alternative dispute resolution program for mediation. The case should be re-evaluated for settlement/ADR resolution on March 11, 2011.

7. The case is set for jury trial and is expected to take approximately 5 full trial days. A date will be scheduled at the Final Pretrial Hearing.

SO ORDERED.

DATED this _____ day of September, 2010.

BY THE COURT:

Honorable Bruce S. Jenkins
United States District Court Judge

APPROVED AS TO FORM:

HOLME ROBERTS & OWEN LLP

/s/ Roger R. Myers

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