

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

BID FOR POSITION, LLC,

Plaintiff/Counterclaim Defendant,

v.

Civil Action No. 2:07cv582 (JBF-TEM)

AOL LLC,
GOOGLE INC.,
MICROSOFT CORP.,
and MIVA, INC.,

Defendants/Counterclaim Plaintiffs.

**JOINT MOTION FOR ENTRY OF AGREED BRIEFING AND
DISCLOSURE SCHEDULE FOR MARKMAN HEARING**

The parties, by counsel, move this Court for entry of an agreed order setting a briefing schedule and disclosure of claims construction positions in advance of the Court-ordered Markman hearing scheduled for June 9, 2008, and in support thereof state as follows:

1. This is a patent infringement action. Accordingly, at the parties' request, the Court has scheduled a Markman hearing for June 9, 2008 at 10:00 a.m.
2. In order to facilitate an orderly Markman hearing and to comply with the Court's March 28, 2008 Order scheduling a Markman hearing for June 9, 2008, the parties have agreed to a briefing and disclosure schedule. That schedule, set out in the proposed Agreed Order, is attached as **Exhibit 1** to this Motion. The parties have agreed to this Order and are circulating a copy for endorsement. Once the Agreed Order has been fully endorsed, it will be forwarded to the Court for consideration.

3. The entry of the proposed Agreed Order and schedule will streamline any disputes in this matter and set forth, prior to the Markman hearing, the parties' position with regard to any claims construction issues to be adjudicated at the hearing.

4. Each of the parties has authorized counsel for Google Inc. to file this motion on their behalf in accordance with the Court's electronic filing system.

WHEREFORE, the parties, by counsel, request that the Court enter an Agreed Order granting the proposed briefing and disclosure schedule for the June 9, 2008 Markman hearing.

Dated: April 11, 2008

Respectfully submitted,

/s/ Stephen E. Noona

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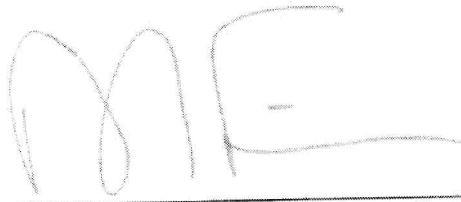
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CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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