

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

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| _____ | |) | |
| I/P ENGINE, INC., | |) | |
| | Plaintiff, |) | |
| v. | |) | Civ. Action No. 2:11-cv-512 |
| AOL, INC. et al., | |) | |
| | Defendants. |) | |
| _____ | |) | |

**JOINT MOTION AND MEMORANDUM IN SUPPORT OF
JOINT MOTION TO MODIFY SCHEDULING ORDER**

Plaintiff, I/P Engine, Inc. (“I/P Engine”), and defendants AOL, Inc., Google, Inc., IAC Search & Media, Inc., Gannett Company, Inc., and Target Corporation (collectively, the “Defendants”), by counsel, for their Joint Motion to Modify the Scheduling Order in this matter, state as follows:

1. The parties hereby request modifying the Rule 16(b) Scheduling Order in order to depose certain individuals past the discovery deadlines stated in the Scheduling Order.
2. The individuals to be deposed and proposed dates for deposition are: Dr. Jaime Carbonell on September 21; Dr. Lyle Ungar on September 22-23; Dr. Keith Ugone on September 14; Mr. Nicholas Fox on September 12; Mr. Jon Diorio on September 18; Mr. Ruben Ortega (no date yet scheduled); and Mr. Gary Culliss (no date yet scheduled).
3. Modification of the Scheduling Order as proposed in this motion will not require adjustment of other dates set forth in the Scheduling Order, including, without limitation, the trial date. The parties will expeditiously supplement their Rule 26(a)(3) disclosures as a result of

these depositions in a manner that will not delay the creation of the Final Pretrial Order or the date of the Final Pretrial Conference.

WHEREFORE, I/P Engine and the Defendants request that the Court modify the Rule 16(b) Scheduling Order in accordance with the proposed Agreed Order attached as Exhibit 1.

Dated: September 12, 2012

Respectfully submitted,

/s/ Donald C. Schultz

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CERTIFICATE OF SERVICE

I certify that on the 12th day of September 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to the following:

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