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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA
BY:

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

PERFORMANCE PRICING, INC.,

Plaintiff,

vs.

GOOGLE INC. and AOL LLC,

Defendants.

CASE NO.: **CV09 -6283 GAF (CTx)**

DISCOVERY MATTER

DEFENDANT GOOGLE INC. AND AOL LLC'S NOTICE OF MOTION AND MOTION TO COMPEL PRODUCTION OF DOCUMENTS BY THIRD PARTIES NEAL COHEN AND VISTA IP LAW GROUP LLC

Crtrm.: ROYBAL - 740
Judge: GARY A. FEESS
Hrg. Date: 9/21/2009
Hrg. Time: 9:30 AM

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on _____, at _____, or as soon thereafter as this matter can be heard before the Honorable _____ of the United States District Court for the Central District of California, at 411 West Fourth Street, Santa Ana, CA 92701-4516, Defendants Google Inc. and AOL LLC ("Defendants") will and hereby do move to compel the production of documents by third parties Neal Cohen and Vista IP Law Group, LLP ("Cohen").

The parties have met and conferred in good faith in an attempt to resolve this dispute as required by Local Rule 37-1. *See generally* Declaration of Emily C. O'Brien.

This Motion is related to *Performance Pricing, Inc. v. Google Inc. et al.*, Case No. 2:07-cv-432 (LED), currently pending in the Eastern District of Texas. Discovery closes on November 13, 2009. The pretrial conference is set for March 18, 2010. Trial begins on April 12, 2010.

This Motion is based on this Notice of Motion, the Joint Stipulation of the parties pursuant to Local Rule 37-2, the Declaration of Emily C. O'Brien, the exhibits thereto, and upon such oral argument and submissions that may be presented at or before the hearing on this Motion.

DATED: August 25, 2009

Respectfully submitted,

QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

By David A. Perlson
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Attorneys for Defendant Google Inc. and AOL LLC