

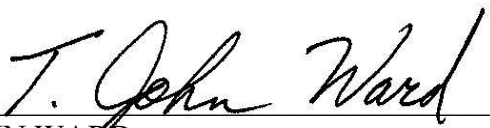
**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

MALCOLM RENWICK AND RENWICK &	§	
ASSOCIATES, P.C.,	§	
Plaintiffs,	§	
	§	CIVIL ACTION NO. 2:08-CV-337 (TJW)
v.	§	
	§	
ARCHER D. BONNEMA, et. al.,	§	
Defendants.	§	

**MEMORANDUM OPINION AND ORDER**

Before the court is Millennium Plan’s Motion for Extension of Time to Respond to Plaintiffs’ Amended Complaint (Dkt. No. 36). The Motion is GRANTED. The plaintiffs’ request for fees incurred to effectuate service is DENIED. While it is clear to the court that the parties have failed to meaningfully communicate to move the case along, it is not all together clear that plaintiffs followed the necessary procedures to effectuate service pursuant to the ERISA plan, or that the Plan actually refused waiver or acted in bad faith.

SIGNED this 24th day of February, 2009.

  
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 T. JOHN WARD  
 UNITED STATES DISTRICT JUDGE