

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION**

**LUXPRO CORPORATION**

**PLAINTIFF**

**VS.**

**NO. 4-08-CV-4092**

**APPLE INC. f/k/a Apple Computer, Inc.**

**DEFENDANT**

**MOTION FOR EXTENSION OF TIME**

COMES now the Defendant, Apple Inc. f/k/a Apple Computer, Inc., and for its Motion for Extension of Time to respond to Plaintiff's Response to Defendant Apple Inc.'s Motion to Dismiss for Failure to State a Claim, as well as Plaintiff's Response in Opposition to Defendant's Motion to Transfer Venue and Brief in Support Thereof., states:

1. Defendant, Apple, Inc. filed a Motion to Dismiss for Failure to State a Claim and Brief in Support on December 19, 2008.
2. Defendant, Apple, Inc. also filed a Motion to Transfer and Brief in Support on December 19, 2008.
3. Plaintiff, Luxpro Corporation, filed a Response to Defendant Apple Inc.'s Motion to Dismiss for Failure to State a Claim on March 2, 2009.
4. Plaintiff, Luxpro Corporation, also filed a Response in Opposition to Defendant's Motion to Transfer Venue and Brief in Support Thereof on March 2, 2009
5. A Reply to Plaintiff's Response to Defendant Apple Inc.'s Motion to Dismiss for Failure to State a Claim, as well as Response in Opposition to Defendant's Motion to Transfer Venue and Brief in Support Thereof was due March 23, 2009.

6. Defendant has requested an agreement with Plaintiff's counsel to allow it a seven day (7) day extension of time in which to respond to Plaintiff's Response to Defendant Apple Inc.'s Motion to Dismiss for Failure to State a Claim, as well as Response in Opposition to Defendant's Motion to Transfer Venue and Brief in Support Thereof.

7. Plaintiff's counsel has kindly agreed.

8. Defendant requests of the Court a seven (7) day extension of time from the date its Reply was due in which to file a pleading responsive to Plaintiff's Response to Defendant Apple Inc.'s Motion to Dismiss for Failure to State a Claim, as well as Response in Opposition to Defendant's Motion to Transfer Venue and Brief in Support Thereof, up to and including, March 30, 2009.

WHEREFORE, Defendant, Apple Inc. f/k/a Apple Computer, Inc., LLC, requests the Court to enter an Order allowing it up to and including March 30, 2009, in which to respond to Plaintiff's Response to Defendant Apple Inc.'s Motion to Dismiss for Failure to State a Claim, as well as Plaintiff's Response in Opposition to Defendant's Motion to Transfer Venue and Brief in Support Thereof.

Respectfully submitted,

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BY: /s/ Kevin A. Crass  
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**CERTIFICATE OF SERVICE**

I, Kevin A. Crass, hereby certify that on March 24, 2009, the foregoing was electronically filed with the Clerk which shall send notification of such filing to the following:

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