Doc. 43

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00630-DME-MEH

NETQUOTE INC, a Colorado corporation,

Plaintiff,

v.

BRANDON BYRD, an internet user making use of the IP Addresses 64.136.27.226 and 64.136.26.227, and

MOSTCHOICE.COM, INC., a Georgia corporation,

Defendants.

## UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO MOTION TO DISMISS AND REPLY TO COUNTERCLAIM

Plaintiff NetQuote, Inc. ("NetQuote") respectfully submits this Unopposed Motion for Enlargement of Time pursuant to Fed. R. Civ. P. 6(b)(1), D.C. Colo. L. Civ. R. 6.1.D, and D.C. Colo. L. Civ. R. 7.1.A, requesting an enlargement of time within which to respond to Defendant MostChoice.Com, Inc.'s Motion to Dismiss and Counterclaim. In support of its Motion, NetQuote states as follows:

1. Pursuant to D.C. Colo. L. Civ. R. 7.1.A, counsel for NetQuote has conferred with

Ryan Isenberg, counsel for Defendants, and NetQuote is authorized to state that Defendants have

no objection to the relief requested in this Motion.

2. Pursuant to D.C. Colo. L. Civ. R. 6.1.D, the undersigned counsel certifies that a copy of this Motion is being served upon its client and all counsel of record.

Defendant MostChoice.com ("MostChoice") served its Motion to Dismiss for
Failure to State a Claim Upon Which Relief Can Be Granted on June 15, 2007, and NetQuote's
response is currently due on July 5, 2007.

4. Defendant MostChoice served its Answer and Counterclaim on June 15, 2007, and NetQuote's response to the Counterclaim is currently due on July 9, 2007.

5. In order to accommodate a previously scheduled summer vacation and the press of other business, the parties agree to an enlargement of time to and including July 16, 2007, for NetQuote to respond to the Motion to Dismiss and to the Counterclaim.

4. This is the first request by the Plaintiff for an enlargement of time within which to respond to the Motion Dismiss and to the Counterclaim.

5. There are no other Court-imposed deadlines that will be affected by this enlargement of time.

2

WHEREFORE, Plaintiff NetQuote respectfully requests that the Court enter an Order allowing it up to and including July 16, 2007, to file its responses to the Motion to Dismiss and to the Counterclaim.

DATED: June 20, 2007

\_s/ David W. Stark\_

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**Counsel for Plaintiff** 

## **CERTIFICATE OF SERVICE**

I hereby certify that on June 20, 2007, I electronically filed the foregoing **UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO MOTION TO DISMISS AND REPLY TO COUNTERCLAIM** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following e-mail addresses:

Teresa L. Ashmore, Esq. (<u>Tracy.Ashmore@hro.com</u>) Rachel L. Eichenbaum, Esq. (<u>Rachel.Eichenbaum@hro.com</u>) HOLME ROBERTS & OWEN, LLP 1700 Lincoln Street, Suite 4100 Denver, CO 80203

Ryan L. Isenberg, Esq. (<u>Ryan@isenberg-hewitt.com</u>) ISENBERG & HEWITT, P.C. 7000 Peachtree Dunwoody Road Bldg. 15, Suite 100 Atlanta, Georgia 30328

s/ Cecil A. Kennedy

## **CERTIFICATE OF SERVICE (NON CM/ECF PARTICIPANTS)**

I hereby certify that on June 20, 2007, I served the foregoing UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO MOTION TO DISMISS AND REPLY TO COUNTERCLAIM via U.S. mail, postage paid, addressed to the following persons at the given addresses:

Craig Shine NetQuote, Inc. 1860 Blake St. Denver, CO 80202

MostChoice.Com 5600 Roswell Road, Suite 275 North Atlanta, GA 30342 Brandon Byrd 147 Angus Trail Atlanta, GA 30328

s/Cecil A. Kennedy