



3. Plaintiff agrees to an extension of time for Defendants to file their opposition to the Motion to Dismiss until and including January 26, 2007.

4. Defendants therefore respectfully request that the Court extend time for Defendants to file their opposition to the Motion to Dismiss until and including January 26, 2007.

A proposed order is being filed concurrently with this Motion.

**DATED:** January 22, 2007

**NOVAK DRUCE & QUIGG LLP**

/s/ Melvin A. Todd

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**CERTIFICATE OF CONFERENCE**

Pursuant to LCvR 7(m), counsel for Defendants conferred with opposing counsel on January 22, 2007 and this Motion is unopposed.

**DATED:** January 22, 2007

**NOVAK DRUCE & QUIGG LLP**

/s/ Melvin A. Todd

**CERTIFICATE OF SERVICE**

This certifies that a true and correct copy of the foregoing **DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE OPPOSITION TO PLAINTIFF'S 12(b)(6) MOTION TO DISMISS COUNTERCLAIMS AND/OR 12(c) MOTION FOR JUDGMENT ON THE PLEADINGS DISMISSING COUNTERCLAIM** was served on Plaintiff's counsel via First Class Mail and Facsimile Transmission on January 22, 2007 as follows:

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/s/ Melvin A. Todd \_\_\_\_\_  
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