IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

21 srl,)	
	Plaintiff,)	Case No. 08CV7350
v.)	Judge Gottschall
)	Magistrate Judge Cox
Apple Inc., et al.,)	
)	
	Defendants.)	
)	

OFFICEMAX'S AGREED MOTION FOR AN EXTENSION OF TIME TO ANSWER PLAINTIFF'S COMPLAINT

Defendant OfficeMax Incorporated ("OfficeMax"), improperly named as OfficeMax Inc., by and through its attorneys, Wildman, Harrold, Allen & Dixon LLP, and pursuant to Federal Rules of Civil Procedure 6(a) and 12(a), moves this Court for an extension of time to answer Plaintiff's Complaint. In support of its Motion, OfficeMax states as follows:

- 1. On December 23, 2008, Plaintiff filed its Complaint alleging infringement of United States Patent Number 7,340,451, which was served on OfficeMax on December 30, 2008.
- 2. Pursuant to Federal Rule of Civil Procedure 12(a)(1)(A), OfficeMax's response to Plaintiff's Complaint is due on January 20, 2009.
- 3. OfficeMax requires additional time to review the patent and its prosecution history before it can file an answer to Plaintiff's Complaint.
- 4. Counsel for OfficeMax contacted counsel for Plaintiff regarding an extension of time to answer the Complaint.
- 5. Counsel for Plaintiff agreed to an extension of time until February 18, 2009 for OfficeMax to answer the complaint or otherwise file a responsive pleading.

WHEREFORE, OfficeMax requests that the Court enter an order extending its time for answering Plaintiff's Complaint or otherwise filing a responsive pleading until February 18, 2009.

Dated: January 20, 2009 Respectfully submitted,

OfficeMax Incorporated

/s/ John S. Letchinger
By One of its Attorneys

John S. Letchinger (No. 6207361) WILDMAN, HARROLD, ALLEN & DIXON LLP 225 West Wacker Drive, Suite 2800 Chicago, Illinois 60606-1229 (312) 201-2000 (312) 201-2555 fax

CERTIFICATE OF SERVICE

I, John S. Letchinger, an attorney, hereby certify that I caused a copy of the foregoin
Agreed Motion for an Extension of Time to Answer Plaintiff's Complaint to be filed via the
CM/ECF electronic filing system on this 20 th day of January, 2008.

/s/ John S. Letchinger