

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 the Court’s order of January 22, 2009, OfficeMax has until February 18, 2009 to answer or otherwise respond to Plaintiff’s Complaint. (*See* Docket #33).
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 March 4, 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 March 4, 2009.

Dated: February 12, 2009

Respectfully submitted,

OfficeMax Incorporated

/s/ Robert L. Wagner

By One of its Attorneys

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CERTIFICATE OF SERVICE

I, Robert L. Wagner, an attorney, hereby certify that I caused a copy of the foregoing **Agreed Motion for an Extension of Time to Answer Plaintiff's Complaint** to be filed via the CM/ECF electronic filing system on this 12th day of February, 2008.

/s/ Robert L. Wagner _____