

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

NERDS ON CALL, INC., )  
 )  
 Plaintiff, )

v. )

CASE NO. 1:07-cv-0535-DFH-TAB

INTERNET BILLING SERVICES, INC., )  
and RYAN ELDRIDGE, Individually, )  
 )  
 Defendants. )  
\_\_\_\_\_ )

**PLAINTIFF’S AGREED REQUEST FOR EXTENSION OF TIME  
TO RESPOND TO DEFENDANT’S MOTION TO DISMISS**

Comes now Plaintiff, NERDS ON CALL, INC., by counsel, THEODORE J. MINCH, and respectfully requests a fourteen (14) day extension of time to respond to Defendants’ Motion for Summary Judgment, and in support, alleges and says as follows:

1. Defendants filed their Motion to Dismiss, together with their brief in support thereof, on October 15, 2007 (hereinafter the “Motion”).
2. In accordance with S.D.Ind.L.R. 7.1(b), Plaintiff’s response to the Motion is due on October 30, 2007.
3. As a result of counsel for Plaintiff’s court and trial schedule, counsel for Plaintiff has not had adequate opportunity to complete Plaintiff’s response to the Motion.
4. Plaintiff, by counsel, contacted Defendants, by counsel, on this date with regard to this Request for extension of time; Defendants, by counsel, had no objection to the entry of a fourteen (14) day extension of time until and including November 13, 2007 for Plaintiff to file its Response to the Motion.

5. That this Request is not for the purposes of undue delay, is just, necessary, and proper in light of the foregoing circumstances, and should this request be denied, Plaintiff will be irreparably and unjustly prejudiced.

WHEREFORE, Plaintiff, NERDS ON CALL, INC., by counsel Theodore J. Minch, hereby respectfully requests the Court grant Plaintiff a fourteen (14) day extension of time until and including November 13, 2007 for Plaintiff to file Plaintiff's Response to Defendants' Motion to Dismiss, and for all other appropriate and just relief in the premises.

Dated: October 30, 2007

Respectfully submitted,

/s/ Theodore J. Minch  
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**PROOF OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of the foregoing was served upon the following counsel for record this 30<sup>th</sup> day of October, 2007 via electronic mail only:

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