

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 MOTION FOR CONTINUANCE OF
INITIAL PRE-TRIAL CONFERENCE**

Comes now Plaintiff, NERDS ON CALL, INC., by counsel, Theodore J. Minch, and hereby respectfully requests a thirty (30) day continuance of the pre-trial conference currently set for November 20, 2007 at 1:00 o'clock p.m. (hereinafter the "Conference") and, in support thereof, hereby state and aver as follows:

1. Counsel for Plaintiff is out of the state on a pre-planned family vacation the week of November 19, 2007 and is therefore unavailable for the Conference as set in this Case on October 24, 2007.

2. Thereafter, counsel for Plaintiff has a number of out of state depositions to attend in the weeks following November 19, 2007 in the matters of *Shaw Family Archives, Ltd., et. al. vs. CMG Worldwide, Inc., et. al.*, Case No. 05 CV 3939 (CM) (SDNY) and *Tom Kelley Studios, Inc., et. al. vs. CMG Worldwide, Inc., et. al.*, Case No. CV-05-02200-MMM (CDCA).

3. Counsel for Plaintiff has consulted with counsel for Defendants regarding the necessity for this motion to continue; counsel for Defendants has no objection to a continuance of the Conference.

4. This request for extension of time is based upon the foregoing facts and circumstances, none of which are the fault of Plaintiff, is not for the purpose of undue delay, and is just, proper and necessary.

WHEREFORE, Plaintiff NERDS ON CALL, INC., by counsel, Theodore J. Minch, hereby respectfully requests the Court grant a thirty (30) day continuance of the initial pre-trial conference currently set for November 20, 2007 at 1:00 o'clock p.m. and for all other relief, just and appropriate in the premises.

Respectfully submitted,

By: /s/ Theodore J. Minch
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing was served upon the following counsel for record this 9th day of November, 2007 via electronic mail only:

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/s/ Theodore J. Minch
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