

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

NERDS ON CALL, INC.,

Plaintiff,

vs.

NERDS ON CALL, INC., and RYAN
ELDRIDGE, Individually,

Defendants.

Case No.: 1:07-cv-0535-DFH-TAB

AND RELATED COUNTERCLAIMS.

**STIPULATION TO FILE AMENDED ANSWER
UNDER RULE 15(a)(2)**

Plaintiff Nerds On Call, Inc. (“Nerds/Indiana”) and Defendants Nerds on Call, Inc. and Ryan Eldridge (cumulatively “Nerds/California”), by their respective attorneys, hereby state and allege as follows:

1. Nerds/Indiana filed its complaint in this action on April 27, 2007. Dkt. 1.
2. Nerds/California timely responded on October 15, 2007 by filing a motion to dismiss under Rules 12(b)(2), 12(b)(3), and 12(b)(5). Dkt. 15. That motion is fully briefed and is currently pending a decision.
3. Preserving its arguments in support of its motion to dismiss, Nerds/California also Answered the complaint and filed three declaratory relief Counterclaims against Nerds/Indiana on December 19, 2007. Dkt. 32.
4. Nerds/Indiana timely filed its Answer to Nerds/California’s Counterclaims on February 6, 2008. Dkt. 44. The Parties now stipulate that Nerds/Indiana may file the Amended Answer to Nerds/California’s Counterclaims that is attached hereto as Exhibit A.
5. The Parties’ stipulation is solely for the purpose of clarifying the substance of Nerds/Indiana’s Answer. Nerds/California retains all of its rights to object and oppose the

substance and merits of Nerds/Indiana's Amended Answer.

Respectfully submitted,

Date: 04/24/2008

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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 24th day of April, 2008 via electronic mail only:

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