## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION

| NERDS ON CALL, INC. (INDIANA),                                     | )           |                               |
|--|-------------|-------------------------------|
| Plaintiff,   | )           |                               |
| v.   | )           | CASE NO. 1:07-cv-0535-DFH-TAB |
| NERDS ON CALL, INC. (CALIFORNIA), and RYAN ELDRIDGE, Individually, | )<br>)<br>) |                               |
| Defendants.  | )<br>)      |                               |

## PLAINTIFF'S REQUEST FOR EXTENSION OF TIME TO RESPOND TO DEFENDANTS' MOTION TO RECONSIDER

Comes now Plaintiff, NERDS ON CALL, INC. (INDIANA), by counsel, Theodore J. Minch, and respectfully requests a seven (7) day extension of time to respond to Defendants' Motion to Reconsider, and in support, alleges and says as follows:

- 1. Defendants filed their Motion to Reconsider on June 24, 2008.
- 2. On July 25, 2008, the Court advised the Parties that it had taken serious consideration of Defendants' Motion to Reconsider and that Nerds Indiana would have until and including August 11, 2008 in which to file its reply to Defendants' Motion to Reconsider.
- 3. As a result of counsel for Nerds Indiana's pleading and trial schedules in other, unrelated matters, counsel for Nerds Indiana has not had adequate opportunity to complete Nerds Indiana's response to Defendants' Motion to Reconsider and, as such, requires an additional seven (7) days, including but not limited to August 18, 2008, in which to file its response to Defendants' Motion to Reconsider.
- 4. Plaintiff, by counsel, contacted Defendants, by counsel, on this date, August 11, 2008, with regard to this request for extension of time; based upon the foregoing circumstances,

Defendants, by counsel, expressed they had no objection to an extension of time to reply though

Defendants do not stipulate to this request for extension of time, either.

5. This request is not for the purpose of undue delay, is just, necessary, and proper in

light of the foregoing circumstances, none of which are the fault of Nerds Indiana, and should

this request be denied, Nerds Indiana will be irreparably and unjustly prejudiced.

WHEREFORE, Plaintiff, NERDS ON CALL, INC. (INDIANA), by counsel Theodore J.

Minch, hereby respectfully requests the Court grant Nerds Indiana a seven (7) day extension of

time until and including August 18, 2008 to complete and file Nerds Indiana's response to

Defendants' Motion to Reconsider, and for all other appropriate and just relief in the premises.

Dated: August 11, 2008

Respectfully submitted,

/s/ Theodore J. Minch

Theodore J. Minch, #18798-49

Attorney for Plaintiff Nerds on Call, Inc.

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PROOF OF SERVICE

The undersigned hereby certifies that a true and accurate copy of Plaintiff's Request for Extension of Time to Respond to Defendants' Motion to Reconsider was served upon the following counsel for record this 11<sup>th</sup> day of August, 2008 via this Court's electronic service

system only:

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/s/ Theodore J. Minch\_

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Attorney for Plaintiff Nerds on Call, Inc. E-Mail: tjminch@sovichminch.com

## 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 and RYAN ELDRIDGE, Individua                              |  |  |
| Defendants.   | )  |  |
|   | AINTIFF'S REQUEST FOR EXTENSION TO DEFENDANTS' MOTION TO RECONSIDER                            |  |
| This Matter having come   | before the Court on Plaintiff NERDS ON CALL, INC.'s  |  |
| (INDIANA) Request for Extension   | n of Time to Respond to Defendants' Motion to Dismiss, and                                     |  |
| the Court being duly advised in the   | e premises now hereby GRANTS Nerds Indiana's request and,                                      |  |
| as such, Nerds Indiana's response   | e to Defendant's Motion to Reconsider shall be filed on or                                     |  |
| before August 18, 2008.   |  |  |
| DATED:  |  |  |
|   | Magistrate Judge, U.S. District Court<br>Southern District of Indiana                          |  |
| COPIES TO:  |  |  |
| Theodore J. Minch, Esq.<br>SOVICH MINCH, LLP<br>10099 Chesapeake Drive<br>Suite 100 | Jonathan G. Polak, Esq.<br>Taft Stettinius & Hollister LLP<br>One Indiana Square<br>Suite 3500 |  |
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