

IN UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

MARK MONSOUR, SHEILA MONSOUR)	
and MONSOUR'S, INC.)	
)	
Plaintiffs,)	Case No. 05-1204-MLB
)	
v.)	
)	
MENU MAKER FOODS, INC.,)	
)	
Defendant.)	
_____)	

MOTION TO AN EXTENSION OF TIME
IN WHICH TO SERVE PLAINTIFFS' EXPERT WITNESS DISCLOSURES

COME NOW the plaintiffs Mark and Sheila Monsour and Monsour's Inc., by and through their attorney of record, Dustin L. DeVaughn and Richard W. James of McDonald, Tinker, Skaer, Quinn and Herrington P.A.

1. Plaintiffs' expert deadline is currently due February 3, 2006.
2. No prior extension has been requested or granted.
3. Plaintiffs' counsel has consulted with defendant's counsel regarding the requested extension, and defendant's counsel does not object to the extension.
4. The requested extension is necessary due to pressing commitments of plaintiffs' counsel in other cases as lead counsel is in Wyoming for depositions this week and has been unable to finalize the disclosures.
5. This request for extension is made in good faith and not for the purpose of delay.

WHEREFORE, by reason of the above and foregoing, plaintiffs respectfully requests an extension of ten business days, or until February 17, 2006, in which to disclose its expert witnesses.

Respectfully Submitted,

/s/ Richard W. James

Dustin L. DeVaughn, #16559

Richard W. James, #19822

Attorney for Plaintiffs

McDONALD, TINKER,

SKAER, QUINN & HERRINGTON, P.A.

R.H. Garvey Building

300 West Douglas Avenue, Suite 500

P.O. Box 207

Wichita, KS 67202-2909

Telephone: (316) 263-5851

Fax: (316) 263-4677

Email: ddevaughn@mtsgh.com

rjames@mtsgh.com

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of February, 2006, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following:

John Val Wachtel
Alex Mitchell
Klenda, Mitchell, Austerman
& Zuercher,
Suite 1600, 201 North Main,
Wichita, KS 67202
Tele: 316.267.0221
Fax: 316.267.0333
jvwachtes@kmazlaw.com
Attorney for Defendant

Jeffrey Eastman
Keleher & Eastman Law Firm
403 N.W. Englewood Rd.
Gladstone MO 64118
Business Tele: 816.452.6030
Fax: 816.455.0969
Home: 816.436.1506
Cell: 816.213.0819
jse@keleher-eastman.com
Attorney for Defendant

/s/ Richard W. James
Dustin L. DeVaughn, #16559
Richard W. James, #19822
Attorney for Plaintiffs
McDONALD, TINKER,
SKAER, QUINN & HERRINGTON, P.A.
R.H. Garvey Building
300 West Douglas Avenue, Suite 500
P.O. Box 207
Wichita, KS 67202-2909
Telephone: (316) 263-5851
Fax: (316) 263-4677
Email: ddevaughn@mtsgh.com
rjames@mtsgh.com