

1. Hotrix's Counterclaims were filed on October 7, 2010.
2. Hershey and Versatile filed a Motion to Dismiss the counterclaims and sought judgment on the pleadings.
3. On January 6, 2011, the Court issued an order denying the motion to dismiss.
4. The responsive Hershey and Versatile's pleadings currently are due on January 20, 2011.
5. Counsel for Hershey and Versatile require additional time to investigate the issues involved in the case and prepare their responsive pleadings.
6. Hershey and Versatile have requested an extension of time until February 3, 2011 to file their pleadings.
7. As evidenced by the Certificate of Concurrence attached hereto, Hotrix's counsel has concurred in the requested extension.

WHEREFORE, Plaintiff/Counterclaim Defendant, The Hershey Company and Counterclaim Defendant, Versatile Systems, Inc. request an enlargement of time until February 3, 2011, to file responsive pleadings to the Counterclaims.

Dated: January 19, 2011

McNEES WALLACE & NURICK LLC

/s/ Harvey Freedenberg
Harvey Freedenberg (PA 23152)
hfreeden@mwn.com
Alan R. Boynton, Jr. (PA 39850)
aboynton@mwn.com
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166
Telephone: (717) 237-5267
Facsimile: (717) 237-5300

*Attorneys for Plaintiff/Counterclaim
Defendant, The Hershey Company and
Counterclaim Defendant,
Versatile Systems, Inc.*

Of Counsel:

Thomas A. Smart
Paul C. Llewellyn
KAYE SCHOLER LLP
425 Park Avenue
New York, New York 10022
Telephone: (212) 836-8000
Facsimile: (212) 836-6463

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

THE HERSHEY COMPANY,	:	
	:	No. 1:10-cv-1178-JEJ
Plaintiff/Counterclaim Defendant	:	
	:	JUDGE JOHN E. JONES III
v.	:	
	:	
HOTTRIX, LLC,	:	
	:	
Defendant/Counterclaim Plaintiff	:	
	:	
v.	:	
	:	
VERSATILE SYSTEMS, INC.,	:	
	:	
Counterclaim Defendant	:	

CERTIFICATE OF CONCURRENCE

I, Harvey Freedenberg, counsel for Plaintiff and Counterclaim Defendants, hereby certify that concurrence has been sought from Hottrix's counsel in the relief requested in the foregoing Motion and such concurrence has been given.

/s/ Harvey Freedenberg
Of Counsel for Plaintiff/Counterclaim
Defendant, The Hershey Company;
Counterclaim Defendant, Versatile
Systems, Inc.

Dated: January 19, 2011

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of Court using CM/ECF and that the document is being served electronically upon counsel of record through the Court's electronic transmission facilities.

/s/ Harvey Freedenberg
Of Counsel for Plaintiff/Counterclaim
Defendant, The Hershey Company;
Counterclaim Defendant, Versatile
Systems, Inc.

Dated: January 19, 2011