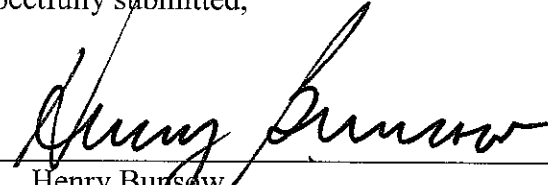




answer or otherwise respond to Plaintiff's Original Complaint up to and including July 6, 2004, and award the parties such and other further relief as they may show themselves justly entitled.

Respectfully submitted,

By:



Henry Bunsow  
CA State Bar No. 60707  
Howrey Simon Arnold & White, LLP  
525 Market Street, Suite 3600  
San Francisco, CA 94105  
Telephone: (415) 848-4900  
Facsimile: (415) 848-4999  
Email: bunsowh@howrey.com

ATTORNEYS FOR DEFENDANT,  
TOSHIBA AMERICA, INCORPORATED

**CERTIFICATE OF CONFERENCE**

I hereby certify that I spoke with Plaintiff's counsel, Mr. S. Calvin Capshaw, on May 14, 2004, and was advised that he agreed to the extension of time to answer.



Henry Bunsow

**CERTIFICATE OF SERVICE**

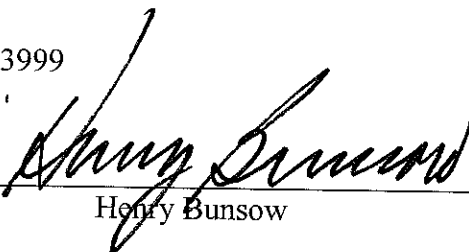
I hereby certify that on this 14th day of May, 2004, I sent a true and correct copy of the above and foregoing document by facsimile to the following counsel of record:

Mr. Stephen G. Rudisill  
Jenkins & Gilchrist  
225 West Washington St., Suite 2600  
Chicago, IL 60606

Mr. Franklin Jones, Jr.  
Jones & Jones, Inc., P.C.  
P. O. Drawer 1249  
Marshall, TX 75671-1249

Mr. Otis Carroll  
Ireland, Carroll & Kelley, P.C.  
P. O. Box 7879  
Tyler, TX 75711

Mr. S. Calvin Capshaw  
Brown McCarroll, L.L.P.  
P. O. Box 3999  
Longview, TX 75606-3999



Henry Bunsow

