

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

MINERVA INDUSTRIES, INC.,
Plaintiff,
v.
MOTOROLA, INC.,
NOKIA, INC.
NOKIA MOBILE PHONES, INC.
ALLTEL CORP.,
ALLTEL COMMUNICATIONS WIRELESS, INC.
ALLTEL COMMUNICATION OF TEXARKANA, INC.,
ALLTEL WIRELESS OF TEXARKANA, LLC,
AT&T MOBILITY, LLC,
BOOST MOBILE,
DOBSON CELLULAR SYSTEMS, INC. (d/b/a CELLULAR ONE),
HELIO, INC.,
HELIO, LLC,
HEWLETT-PACKARD CO.,
METROPCS, INC.,
METROPCS WIRELESS, INC.
METROPCS TEXAS, LLC,
QWEST WIRELESS, LLC,
SOUTHERNLINC WIRELESS
SPRINT NEXTEL CORP.,
SPRINT WIRELESS BROADBAND CO., LLC,
SUNCOM WIRELESS OPERATING CO., LLC,
T-MOBILE USA, INC.,
TRACFONE WIRELESS, INC.,
U.S. CELLULAR WIRELESS,
VERIZON COMMUNICATIONS, INC.,
VERIZON WIRELESS SERVICES, LLC.
VIRGIN MOBILE USA, LLC,
HTC CORP.,
HTC AMERICA, INC.,
KYOCERA WIRELESS CORP.,
KYOCERA AMERICA, INC.,
LG ELECTRONICS, USA, INC.
LG ELECTRONICS MOBILECOMM USA,

Civil Action No. 2:07-cv-229 (TJW)
JURY TRIAL DEMANDED

INC. )  
 PALM, INC., )  
 PANTECH WIRELESS, INC. )  
 SANYO NORTH AMERICA CORP., )  
 UTSTARCOM, INC. )  
 SONY ERICSSON COMMUNICATIONS, )  
 (USA), INC., )  
 SAMSUNG AMERICAN, INC., )  
 SAMSUNG ELECTRONICS AMERICA, INC. )  
 SAMSUNG TELECOMMUNICATIONS )  
 AMERICA, LLC, )  
 SAMSUNG TELECOMMUNICATIONS )  
 AMERICA, INC., )  
 ALLTEL COMMUNICATION, INC., )  
 )  
 Defendants. )

**HEWLETT-PACKARD COMPANY’S SECOND UNOPPOSED MOTION FOR AN  
 EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND**

Defendant Hewlett-Packard Company (“HP”), without waiving any defenses or any matters that might be presented pursuant to Federal Rule of Civil Procedure 12(b) or any other rule or law, moves the Court to extend the deadline to Answer or otherwise respond to Plaintiff’s Complaint and Demand for Jury Trial (“Complaint”) through January 7, 2008. Plaintiff, Minerva Industries, Inc. (“Minerva”) does not oppose this motion. In support of this motion, HP would show that:

- The Complaint was filed on June 6, 2007;
- HP was served the summons and Complaint on September 25, 2007, an initial extension of time was granted by the Court on October 11, 2007, and its current deadline to Answer or otherwise respond is currently December 14, 2007;

- HP and Minerva have conferred and Plaintiff does not oppose HP's request to extend HP's deadline to Answer or otherwise respond through January 7, 2008.

A proposed order is attached.

Dated: December 12, 2007

Respectfully submitted,

/s/ John L. LaBarre

Josh A. Krevitt (NY Bar No. 2568228)

John L. LaBarre (NY Bar No. 4396271)

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ATTORNEYS FOR DEFENDANT  
HEWLETT-PACKARD COMPANY.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on December 12, 2007 all counsel of record were served with a copy **HEWLETT-PACKARD COMPANY'S SECOND UNOPPOSED MOTION FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND** by the Court's CM/ECF system per Local Rule CV-5(a)(3).

Dated: December 12, 2007

/s/ John LaBarre  
John L. LaBarre