

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

ACTUS, LLC,)	
)	
Plaintiff,)	CIVIL ACTION: 2:09-CV-102-TJW
)	
BANK OF AMERICA CORP. et al.)	JURY TRIAL DEMANDED
)	
Defendants.)	

JOINT MOTION FOR EXTENSION OF CERTAIN DEADLINES

Plaintiff Actus, LLC (“Actus”) and Defendant Visa Inc. (“Visa”) respectfully request that the Court set a briefing schedule on Visa’s recently filed Motion to Dismiss to track the briefing schedule set for Defendant MasterCard’s Motion to Dismiss. *See* Doc. # 92. Both Visa’s and MasterCard’s respective motions raise the same issues, so it would be most efficient for the Court and the parties to have to have the briefing and argument occur together. Accordingly, Actus and Visa jointly request that the deadline for Actus to respond to Visa’s Motion to Dismiss be set for July 17, 2009 and the deadline for Visa to reply be set to August 7, 2009.

Dated: June 25, 2009

Respectfully submitted,

/s/ William E. "Bo" Davis, III

William E. "Bo" Davis III
Texas State Bar No. 24047416
The Davis Firm, PC
111 West Tyler Street
Longview, Texas 75601
Phone: 903-230-9090
Fax: 903-230-9661

**ATTORNEY FOR PLAINTIFF
ACTUS, LLC**

/s/ Mark E. Turk

Joseph A. Micallef (admitted *Pro Hac Vice*)
David P. Gersch (admitted *Pro Hac Vice*)
ARNOLD & PORTER LLP
555 Twelfth Street, NW
Washington, DC 20004-1206
Tel. (202) 942-5721
Fax (202) 942-5999
E-mail: Joseph.Micallef@aporter.com
David.Gersch@aporter.com

Michael P. Lynn
Texas State Bar No. 12738500
Eric W. Pinker
Texas State Bar No. 16016550
Mark E. Turk
Texas State Bar No. 00786298)
LYNN TILLOTSON PINKER & COX LLP
2100 Ross Avenue
Suite 2700
Dallas, TX 75201
Tel. (214) 981-3801
Fax (214) 981-3829
E-mail: mlynn@lynnllp.com
epinker@lynnllp.com
mturk@lynnllp.com

**ATTORNEYS FOR
DEFENDANT VISA INC.**

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, the foregoing was served on all counsel of record who have consented to electronic service. Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d), all others not deemed to have consented to electronic service were served with a true and correct copy of the foregoing via email on this 25th day of June, 2009.

/s/ Mark E. Turk
Mark E. Turk