

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

ACTUS, LLC,

Plaintiff,

v.

BANK OF AMERICA CORP. et al.

Defendants.

CIVIL ACTION NO. 2:09-cv-102-TJW

JURY TRIAL DEMANDED

ORDER

Before the Court is Plaintiff Actus, LLC's ("Actus") Unopposed Second Motion for Extension of Time to Respond to Defendant Capital One Financial Corp.'s Motion to Dismiss for Failure to State a Claim.

Finding the motion well taken, the Court hereby GRANTS the motion. Actus shall have up to and including August 20, 2009, to file its response.

SO ORDERED.

SIGNED this 31st day of July, 2009.



T. JOHN WARD
UNITED STATES DISTRICT JUDGE