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

ACTUS, LLC,

Plaintiff,

v.

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

BANK OF AMERICA CORP. et al.

**Defendants.** 

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.

John Ward

T. JOHN WAKD UNITED STATES DISTRICT JUDGE