

**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 the parties' Joint Motion for Leave To File Second Amended Complaint, Withdraw Motions To Dismiss, and Enlarge Time In Which To Respond To Second Amended Complaint. Having considered the motion, the Court finds that the motion should be granted.

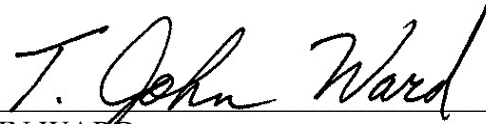
It is therefore ORDERED that Actus is granted leave to file its Second Amended Complaint.

It is further ORDERED that the Motions to Dismiss found at docket numbers 58, 77, 101, 114, 128, 142 are withdrawn without prejudice.

It is further ORDERED that all Defendants shall have up to and including twenty-one (21) days from the date of entry of Actus' Second Amended Complaint to answer or otherwise respond to said complaint.

SO ORDERED.

SIGNED this 13th day of August, 2009.

A handwritten signature in black ink that reads "T. John Ward". The signature is written in a cursive style with a large, prominent initial "T".

T. JOHN WARD
UNITED STATES DISTRICT JUDGE