

III.

Defendant seeks this extension of time not for delay but for good cause and that justice may be served.

WHEREFORE, GOOGLE INC. respectfully prays that the time to answer, move or otherwise respond to ACTUS, LLC's Second Amended Complaint for Patent Infringement be extended to and include September 29, 2009.

Dated: August 31, 2009

Respectfully submitted,

GILLAM & SMITH, L.L.P.

/s/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 31, 2009, the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/

Harry L. Gillam, Jr.