

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

ACTUS, LLC,

Plaintiff,

v.

BANK OF AMERICA CORP.;
BLAZE MOBILE, INC.;
CAPITAL ONE FINANCIAL CORP.;
ENABLE HOLDINGS, INC.;
GOOGLE, INC.;
GREEN DOT CORP.;
JAVIEN DIGITAL PAYMENT
SOLUTIONS, INC.;
JPMORGAN CHASE & CO.;
MASTERCARD INTERNATIONAL INC.;
META FINANCIAL GROUP, INC.;
M&T BANK CORP.;
SONIC SOLUTIONS;
VISA, INC.;
VIVENDI UNIVERSAL U.S. HOLDING
CO.;
VIVENDI UNIVERSAL S.A.;
WAL-MART STORES, INC.;
DISNEY GIFT CARD SERVICES, INC.;
WESTERN UNION FINANCIAL
SERVICES, INC.,

Defendants.

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

JURY TRIAL DEMANDED

**DEFENDANT DISNEY GIFT CARD SERVICES, INC.'S
DESIGNATION OF LEAD COUNSEL**

PLEASE TAKE NOTICE that the following attorney, admitted *pro hac vice* in this matter, is designated as lead counsel for Defendant Disney Gift Card Services, Inc.:

David E. Sipiora
CO Bar No. 29759
TOWNSEND AND TOWNSEND AND CREW, LLP
1400 Wewatta St., Suite 600
Denver, CO 80202
(303) 571.4000
(303) 571.4321 Facsimile
desipiora@townsend.com

Respectfully submitted,

DATE: September 9, 2009

By: /s/ David E. Sipiora

David E. Sipiora (Lead Attorney)

CO Bar No. 29759

Ryan D. Phillips

CO Bar No. 38234

TOWNSEND AND TOWNSEND AND CREW LLP

1400 Wewatta St., Suite 600

Denver, CO 80202

(303) 571-4000

(303) 571-4321 (fax)

desipiora@townsend.com

rdphillips@townsend.com

Robert Christopher Bunt

State Bar No. 00787165

PARKER, BUNT & AINSWORTH, PC

100 East Ferguson, Suite 1114

Tyler, Texas 75702

(903) 531-3535

(903) 533-9687 (fax)

rcbunt@pbatyler.com

ATTORNEYS FOR DEFENDANT
DISNEY GIFT CARD SERVICES, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). All others not deemed to have consented to electronic service were served with a true and correct copy of the foregoing pursuant to Local Rule CV-5(d) via email or facsimile transmission, or by first class mail this 9th day of September 2009.

/s/ David E. Sipiora
DAVID E. SIPIORA