

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

ACTUS, LLC,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	Civil Action No: 2:09-cv-102
	§	
BANK OF AMERICA CORP.;	§	
BLAZE MOBILE, INC.;	§	Jury
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.;	§	
OBOPAY, INC.;	§	
SONIC SOLUTIONS;	§	
VISA, INC.;	§	
VIVENDI UNIVERSAL U.S. HOLDING	§	
CO.;	§	
VIVENDI UNIVERSAL, SA;	§	
WAL-MART STORES, INC.;	§	
THE WALT DISNEY CO.;	§	
THE WESTERN UNION CO.;	§	
WILDTANGENT, INC.;	§	
AGILECO,	§	
Defendants.	§	

**JOINT MOTION FOR EXTENSION OF CERTAIN DEADLINES**

COMES NOW Plaintiff, Actus, LLC (“Actus”) and Defendant MasterCard International, Inc. (“MasterCard”) and files this Joint Motion for Extension of Certain Deadlines. On June 3, 2009 MasterCard filed its Motion to Dismiss Plaintiff’s Claims Under Fed. R. Civ. P. 12(B)(1), 12(B)(6) and 12(B)(7) and Memorandum of Law in Support (Dkt. 58). The Current deadline for Actus to respond to MasterCard’s Motion to Dismiss is June 18, 2009. The parties respectfully request the Court

extend the deadline for Actus to respond to MasterCard's Motion to Dismiss until July 17, 2009.

Additionally, the parties request the Court extend the deadline for MasterCard to reply to Plaintiff's Response to the Motion to Dismiss until August 7, 2009.

DATED: June 8, 2009

Respectfully submitted,

By: /s/ N. Claire Abernathy

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**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served this 8<sup>th</sup> day of June, 2009, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ N. Claire Abernathy