

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

RICKY B. PERRITT, Individually; §
THE CUPCAKERY, LLC, a Texas Limited §
Liability Company; BUSTER BAKING, §
LLC, a Texas Limited Liability Company; §
and THE WOODLANDS BAKING, LLC, §
a Texas Limited Liability Company §

Plaintiffs,

Civil Action No. 4:11-CV-23

v.

PAMELA F. JENKINS, Individually; and §
THE CUPCAKERY LLC, a Nevada §
Limited Liability Company §

Defendants.

**AGREED MOTION TO EXTEND DEADLINE TO RESPOND TO
DEFENDANTS’ MOTION TO DISMISS**

TO THE HONORABLE COURT:

COMES NOW, Plaintiffs RICKY B. PERRITT, Individually, THE CUPCAKERY, LLC, a Texas Limited Liability Company, BUSTER BAKING, LLC, a Texas Limited Liability Company, and THE WOODLANDS BAKING, LLC, a Texas Limited Liability Company (collectively “Plaintiffs”) and files this Agreed Motion to Extend the Deadline to Respond to Defendants’ PAMELA F. JENKINS Individually and THE CUPCAKERY LLC, a Nevada Limited Liability Company (collectively “Defendants”) Motion to Dismiss (Docket No. 21), and would respectfully show unto the Court as follows:

Plaintiffs hereby move the Court for an order extending the time for them to respond to Defendants’ Motion to Dismiss in the above styled and numbered cause through March 2, 2011.

Counsel for Plaintiffs has conferred with counsel for Defendants in the above styled and numbered cause, and she has agreed to this extension on behalf of Defendants.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs pray that the Court enter an order extending the time for them to respond to Defendants' Motion to Dismiss in the above styled and numbered cause through March 2, 2011, and for such other and further relief as to which they may show themselves justly entitled.

Respectfully submitted,

SIEBMAN, BURG, PHILLIPS & SMITH, LLP

/s/ Clyde M. Siebman

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF CONFERENCE

On February 24, 2011 Plaintiffs' counsel conferred with counsel for Defendants, who agreed to the relief requested in the above motion.

SIEBMAN, BURG, PHILLIPS & SMITH, LLP

/s/ Clyde M. Siebman

CERTIFICATE OF SERVICE

The undersigned certifies that on this 25th day of February, 2011, all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3). Any other counsel of record will be served by a facsimile transmission and/or first class mail.

SIEBMAN, BURG, PHILLIPS & SMITH, LLP

/s/ Clyde M. Siebman