

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; §
THE WOODLANDS BAKING, LLC, §
a Texas Limited Liability Company; §
CUSTOM VERSION CORPORATION, §
a Texas Corporation §

Plaintiffs, §

Civil Action No. 4:11-CV-23

v. §

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

Defendants. §

**JOINT MOTION TO CONDUCT THE
DEPOSITION OF PAMELA JENKINS ON APRIL 12, 2011**

Plaintiffs, Rickey B. Perritt, The Cupcakery, LLC, a Texas Limited Liability Company, Buster Baking, LLC, The Woodlands Baking, LLC, and Custom Version Corporation and Defendants Pamela Jenkins and The Cupcakery, LLC, a Nevada Limited Liability Company (collectively the “Parties”) jointly move the Court for leave to conduct Pamela Jenkins’ deposition on April 12, 2011 in Las Vegas, Nevada.

On or about March 11, 2011 the Court ordered that the deadline for Plaintiffs to respond to Defendants’ Motion to Transfer Venue is hereby extended through and until fourteen (14) days after Plaintiffs receive the transcript of Pamela Jenkins’ deposition. (Docket No. 41). In the same Order the Court ordered that Pamela Jenkins shall present for a deposition within thirty (30) days from the signing of the Order, to be held in Las Vegas, and that the deposition be

limited to venue facts and not exceed two (2) hours in length. (Docket No. 41). The first date the Parties and their counsel are mutually available to conduct Ms. Jenkins' deposition in Las Vegas, Nevada is April 12, 2011, which is 32 days from the signing of the Order; therefore, the Parties jointly move the Court for leave to conduct Ms. Jenkins' deposition on April 12, 2011.

WHEREFORE, PREMISES CONSIDERED, the Parties jointly move the Court to grant them leave to conduct the deposition of Pamela Jenkins on April 12, 2011 in Las Vegas, Nevada and for such other and further relief as to which they may show themselves justly entitled.

Respectfully submitted this 22nd day of March, 2011,

BY: /s/ Clyde M. Siebman
CLYDE M. SIEBMAN
State Bar No. 18341600
BRYAN H. BURG
State Bar No. 03374500
STEPHANIE R. BARNES
State Bar No. 24045696
SIEBMAN, BURG, PHILLIPS & SMITH, LLP
Federal Courthouse Square
300 North Travis Street
Sherman, Texas 75090
Telephone: (903) 870-0070
Facsimile: (903) 870-0066
clydesiebman@siebman.com
bryanburg@siebman.com
stephaniebarnes@siebman.com
ATTORNEYS FOR PLAINTIFFS

-AND-

BY: with permission /s/ Jodie A. Slater
Jodie A. Slater
Texas State Bar No. 24046862
STRONG & NOLAN, LLP
1701 N. Market Street, Suite 200
Dallas, Texas 75202
(214) 635-5643 (telephone)
(214) 752-6929 (telecopy)
jodie@strongnolan.com
ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

The undersigned certifies that on this 22nd day of March, 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