

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. §

**UNOPPOSED MOTION TO EXTEND TIME TO ANSWER,  
OR PLEAD, OR OTHERWISE RESPOND TO  
DEFENDANTS’ AMENDED COUNTERCLAIMS**

**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, THE WOODLANDS BAKING, LLC, a Texas Limited Liability Company, and CUSTOM VERSION CORPORATION, a Texas Corporation (collectively “Plaintiffs”) and file this Unopposed Motion to Extend Time to Answer, or Plead, or Otherwise Respond to Defendants’ PAMELA F. JENKINS Individually and THE CUPCAKERY LLC, a Nevada Limited Liability Company (collectively “Defendants”) Amended Counterclaims (Docket No. 57), and would respectfully show unto the Court as follows:

Plaintiffs hereby move the Court for an order extending the time for them to answer, or plead, or otherwise respond to Defendants' Amended Counterclaims in the above styled and numbered cause through June 17, 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 answer, or plead, or otherwise respond to Defendants' Amended Counterclaims in the above styled and numbered cause through June 17, 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

CLYDE M. SIEBMAN

State Bar No. 18341600

BRYAN H. BURG

State Bar No. 03374500

STEPHANIE R. BARNES

State Bar No. 24045696

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**

**CERTIFICATE OF SERVICE**

The undersigned certifies that on this 1st day of June, 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