

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

<b>ADVANCEME, INC.</b>	§	
	§	<b>Civil Case No. 6:05-CV-424</b>
<b>VS.</b>	§	
	§	<b>Davis/Love</b>
<b>RAPDIPAY, LLC, et al</b>	§	

**PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE  
OPENING CLAIM CONSTRUCTION BRIEF IN EXCESS OF PAGE LIMIT**

**TO THE HONORABLE JUDGE OF SAID COURT:**

Plaintiff, AdvanceMe, Inc., requests the Court for leave to file its Opening Claim Construction Brief in excess of the thirty page limit. AdvanceMe, Inc. requests that this Court allow it to exceed the thirty page limit by ten pages, excluding attachments. Plaintiff requests the additional pages because it has determined that the current length of the brief is necessary to best present its argument to the Court.

Therefore, AdvanceMe, Inc. respectfully requests that this Court grant it leave to file its Opening Claim Construction Brief in excess of the page limits previously set by this Court. Counsel for AdvanceMe, Inc. has conferred with Doug McSwane, counsel for Defendants. Defendants have agreed to this motion. An order reflecting same is attached for the Court's convenience.

Respectfully submitted,

/s/ Deborah Race

Otis Carroll

Texas State Bar No. 03895700

Deborah Race

Texas State Bar No. 16448700

IRELAND, CARROLL & KELLEY, P.C

6101 S. Broadway, Suite 500

Tyler, Texas 75703

Tel: (903) 561-1600

Fax: (903) 581-1071

Email: [Fedserv@icklaw.com](mailto:Fedserv@icklaw.com)

Ronald S. Lemieux  
Vid R. Bhakar  
Robert C. Matz  
Shanee Williams  
Michael Edelman  
PAUL, HASTINGS, JANOFKSY &  
WALKER, LLP  
Five Palo Alto Square, Sixth Floor  
Palo Alto, CA 94306-1800  
Tel: (650) 320-1800  
Fax: (650) 340-1900  
Email: [ronlemieux@paulhastings.com](mailto:ronlemieux@paulhastings.com)

**ATTORNEYS FOR PLAINTIFF ADVANCEME, 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). Any other counsel of record or parties will be served by facsimile transmission and/or first class mail this 14<sup>th</sup> day of September, 2006.

/s/ \_\_\_\_\_  
Deborah Race

**CERTIFICATE OF CONFERENCE**

The undersigned counsel for AdvanceMe, Inc. has conferred with Doug McSwane, counsel for Defendants. Defendants have agreed to this motion.

/s/ \_\_\_\_\_  
Deborah Race