

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

ADVANCEME, INC.,  
Plaintiff,

v.

RAPIDPAY LLC, FIRST FUNDS LLC,  
MERCHANT MONEY TREE, INC.,  
REACH FINANCIAL LLC, and  
FAST TRANSACT, INC. d/b/a  
SIMPLE CASH,  
Defendants.

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CIVIL CASE NO. 6:05-cv-424 (LED)

JURY TRIAL DEMANDED

**[PROPOSED] ORDER DENYING DEFENDANTS' MOTION FOR  
LEAVE TO AMEND THEIR PRELIMINARY INVALIDITY CONTENTIONS**

On this day, the Court considered Defendants First Funds LLC, Merchant Money Tree, Inc., and Reach Financial, LLC's Motion for Leave to Amend their Preliminary Invalidity Contentions. After careful consideration, the Court finds that Defendants have failed to prove that good cause exists for the amendment.

Accordingly, the Court hereby DENIES Defendants' Motion for Leave to Amend their Preliminary Invalidity Contentions.

Signed this \_\_\_\_ day of September, 2006

By: \_\_\_\_\_  
The Honorable John David Love  
United States District Court  
Eastern District of Texas

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served a copy of this document via the court's CM/ECF system per Local Rule CV-5(a)(3) on this the 25th day of September, 2006. Any other counsel of record will be served by first class mail on this same date.

/s/ Michael N. Edelman  
Michael N. Edelman