

Plaintiff and Defendants met and conferred by telephone conference regarding this motion on September 27, 2006 and agreed that this motion will be unopposed.

September 27, 2006

Respectfully submitted,

By: /s/ Joseph D. Gray

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LLC, and AmeriMerchant, LLC*

IT IS SO ORDERED on this the _____ day of _____, 2006.

The Honorable Leonard Davis
United States District Court
for the Eastern District of Texas