

**IN THE UNITED STATES DISTRICT COURT  
FOR THE 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.**

**CASE NO. 6:05-CV-424 (LED – JDL)**

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**PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE A SUR-REPLY IN  
OPPOSITION TO DEFENDANTS' SECOND MOTION FOR PARTIAL SUMMARY  
JUDGMENT OF PATENT INVALIDITY IN EXCESS OF PAGE LIMIT**

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Plaintiff, AdvanceMe, Inc. (“AdvanceMe”), respectfully requests leave to file its Sur-Reply In Opposition To Defendants’ Second Motion for Partial Summary Judgment of Patent Invalidity in excess of the cumulative twenty (20) page limit allowed by Local Rule CV-7(a)(1). AdvanceMe requests that this Court allow it to exceed the twenty-page limit by six (6) 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.

Counsel for AdvanceMe, Inc. has conferred with Joseph Gray, counsel for Defendants. Defendants have stated that they do not oppose this motion.

A proposed Order is attached for the Court's convenience.

Dated: May 16, 2007

Respectfully submitted,

By:   /s/ Michael N. Edelman  

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ATTORNEYS FOR PLAINTIFF ADVANCEME, INC.

**CERTIFICATE OF CONFERENCE**

The undersigned counsel for AdvanceMe, Inc. has conferred with Joseph Gray, counsel for Defendants. Defendants have stated that they do not oppose this motion.

/s/ Michael N. Edelman

Michael N. Edelman

**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 pursuant to Local Rule CV-5(a)(3) on this the 16th day of May, 2007. Any other counsel of record will be served by first-class mail on this same date.

/s/ Michael N. Edelman

Michael N. Edelman

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