

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

ADVANCEME, INC.	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	
	§	CAUSE NO. 6:05-CV-424 (LED)-(JDL)
RAPIDPAY, LLC, BUSINESS CAPITAL CORPORATION, FIRST FUNDS LLC, MERCHANT MONEY TREE, INC., REACH FINANCIAL, LLC and FAST TRANSACT, INC. d/b/a SIMPLE CASH,	§ § § § § § § § § §	
<i>Defendants.</i>	§	

UNOPPOSED MOTION TO AMEND DOCKET CONTROL ORDER

COME NOW, Defendants FIRST FUNDS, LLC, MERCHANT MONEY TREE, INC. and REACH FINANCIAL, LLC (hereinafter collectively referred to as “Defendants”), to bring this Unopposed Motion to amend the Court’s January 26, 2007 Amended Docket Control Order (D.E. 201), previously amended by the Court’s May 25, 2007 Order (D.E. 267) and June 1, 2007 Order (D.E. 272), as follows:

CURRENT DEADLINE	REQUESTED DEADLINE	ACTION
June 8, 2007	June 12, 2007	Joint Pretrial Order, Joint Proposed Jury Instructions with citation to authority, and Form of the Verdict for jury trials. Proposed Findings of Fact and Conclusions of Law with citation to authority for bench trials. Response to Dispositive Motions (including <i>Daubert</i> motions). Responses to dispositive motions filed prior to the dispositive motion deadline, including <i>Daubert</i> Motions, shall be due in accordance with Local Rule CV-7(e).

The parties agree that additional time is needed for Plaintiff and Defendants to complete the appropriate disclosures and prepare the necessary filings. Accordingly, the foregoing extensions are not sought for purposes of delay or any other improper purpose.

June 7, 2007

Respectfully submitted,

By : /s/ Joseph D. Gray

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Counsel for Defendants First Funds LLC, Merchant Money Tree, Inc., and Reach Financial, LLC

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service and are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 7th day of Jun, 2007. Any other counsel of record will be served by first class mail on this same date.

/s/ Joseph D. Gray

Joseph D. Gray

CERTIFICATE OF CONFERENCE

Joseph Gray, counsel for Defendants, conferred with Michael Edelman, counsel for Plaintiff, regarding the substance of this motion on June 7, 2007, and Plaintiff DOES NOT OPPOSE the relief sought herein.

/s/ Joseph D. Gray

Joseph D. Gray