

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

ADVANCEME, INC.	§	
	§	
VS.	§	
	§	
RAPIDPAY, LLC, BUSINESS CAPITAL	§	Civil Case No. 6:05-CV-424 (DAVIS)
CORPORATION, FIRST FUNDS, LLC,	§	
MERCHANT MONEY TREE, INC.,	§	
REACH FINANCIAL, LLC and FAST	§	
TRANSACT, INC., dba SIMPLE CASH	§	

**PLAINTIFF ADVANCEME, INC.'S NOTICE OF ORDER
DISMISSING CHAPTER 11 BANKRUPTCY AND
REQUEST FOR CONSIDERATION OF MOTION FOR DEFAULT JUDGMENT**

TO THE HONORABLE JUDGE OF SAID COURT:

On November 9, 2005, Plaintiff, AdvanceMe, Inc. ("AdvanceMe") filed suit against defendant Rapidpay, L.L.C. ("Rapidpay"), in the above cause. Thereafter, Rapidpay failed to comply with this Court's orders and deadlines, and failed to appoint new counsel to act on its behalf after the withdrawal of its original counsel. On April 6, 2006, AdvanceMe filed a Motion for Default Judgment against Rapidpay. Thereafter, AdvanceMe learned that Rapidpay had, in fact, filed for bankruptcy protection in the Southern District of New York, in case number 06-10453BRL. AdvanceMe notified this Court of the bankruptcy proceeding and resulting stay, and this Court cancelled a hearing it had previously set on the motion for default.

Attached to this notice is a copy of an Order Dismissing Chapter 11 Bankruptcy Pursuant to § 1112(B)(1) of the Bankruptcy Code. Therein, the United States bankruptcy judge, the Honorable Burton R. Lifland, orders that RapidPay, L.L.C.'s bankruptcy be dismissed with prejudice to refile for 120 days. This order was entered on July 25, 2006. Therefore, as a result of the dismissal of the bankruptcy, no automatic stay remains in place and this Court is free to

consider AdvanceMe's previously filed Motion for Default Judgment which was filed on April 6, 2006 as Docket # 33.

Therefore, Plaintiff AdvanceMe, Inc. respectfully prays that this Court now consider its Motion for Default Judgment filed against Rapidpay. AdvanceMe requests any and all additional relief to which it may be entitled either in law or equity.

Dated: July 31, 2006

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

OF COUNSEL:

Ronald S. Lemieux

Daniel B. Pollack

PAUL, HASTINGS, JANOFSKY & WALKER, LLP

Five Palo Alto Square, Sixth Floor

Palo Alto, CA 94306-2155

Tel: (650) 320-1800

Fax: (650) 320-1900

Elizabeth L. Brann

3579 Valley Centre Drive

San Diego, CA 92130

Tel: (858) 720-2500

Fax: (858) 720-2555

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 31st day of July, 2006.

/s/

Deborah Race

