

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

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

ADVANCEME, INC.,	§	
<i>Plaintiff,</i>	§	
v.	§	
	§	CAUSE NO. 6:06-CV-0082 LED
AMERIMERCHANT, LLC,	§	JURY TRIAL DEMANDED
<i>Defendant.</i>	§	

**DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO EXCEED
PAGE LIMIT IN DEFENDANTS' REPLY IN SUPPORT OF
THEIR MOTION TO COMPEL**

Defendants First Funds LLC, Merchant Money Tree, Inc., Reach Financial, LLC, and AmeriMerchant, LLC (collectively "Defendants") respectfully request that the Court grant leave to exceed the page limit for their Reply in Support of their Motion to Compel. Specifically, in order to properly reply to the issues raised by Plaintiff in its Opposition Brief, Defendants request leave of Court to file 15 pages of argument plus 12 pages of exhibits in its Reply in Support of its Motion to Compel. Plaintiff does not oppose this motion.

December 6, 2006

Respectfully submitted,

By: /s/ Joseph D. Gray

Willem G. Schuurman
Texas State Bar No. 17855200
bschuurman@velaw.com
Joseph D. Gray
Texas State Bar No. 24045970
jgray@velaw.com
VINSON & ELKINS L.L.P.
2801 Via Fortuna, Suite 100
Austin, Texas 78746
Telephone: 512.542.8400
Facsimile: 512.236.3476

-and-

Hilary L. Preston
hpreston@velaw.com
VINSON & ELKINS L.L.P.
666 Fifth Avenue – 26th Floor
New York, NY 10103
Telephone: 212.237.0000
Facsimile: 212.237.0100

-and-

Douglas R. McSwane, Jr.
State Bar No. 13861300
POTTER MINTON
A Professional Corporation
110 N. College
500 Plaza Tower (75702)
P.O. Box 359
Tyler, Texas 75710
Telephone: 903.597.8311
Facsimile: 903.593.0846
E-mail: dougmcswane@potterminton.com

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

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 6th day of December, 2006. 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

Counsel for Defendants and counsel for Plaintiff met and conferred on December 6, 2006, and Plaintiff does not oppose this motion. Plaintiff's counsel insisted that the following be included in this certificate of conference: "Opposing counsel indicated that it would not oppose this motion because it does not want to unnecessarily burden this Court with additional motion practice, but it believes a 10 page extension is unnecessary and excessive."

/s/ Joseph D. Gray
Joseph D. Gray