UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS TYLER DIVISION

KLAUSNER TECHNOLOGIES, INC.,	
Plaintiff,	Civil Action No. 6:08-CV-00341-LED
v.) JURY TRIAL DEMANDED
VERIZON WIRELESS (CELLCO)
PARTNERSHIP d/b/a VERIZON WIRELESS), et al.,))
Defendants.)

EMBARQ COMMUNICATIONS, INC.'S FIFTH UNOPPOSED MOTION TO EXTEND TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT

Defendant Embarq Communications, Inc. ("Embarq") moves the Court to extend the deadline to answer or otherwise respond to the Plaintiff's Complaint until February 4, 2009, and would respectfully show the Court as follows:

Embarq requested and Plaintiff agreed to extend the deadline to answer or otherwise respond to the Plaintiff's Complaint up to and including February 4, 2009.

This fifth request for an extension of time is not for delay but for good cause and so that justice may be served.

A proposed Order granting this unopposed motion is attached for the Court's convenience.

Respectfully submitted,

/s/Mark C. Nelson

Mark C. Nelson (Lead Attorney)

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ATTORNEYS FOR DEFENDANT EMBARQ COMMUNICATIONS, INC.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 2, 2009 I electronically filed the foregoing:

EMBARQ COMMUNICATIONS, INC.'S FIFTH UNOPPOSED MOTION TO EXTEND TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT

with the Clerk of the Court by using the CM/ECF System which will serve all counsel of record by notice of electronic filing, pursuant to Fed. R. Civ. P. 5(b)(2)(D).

/s/Darin Deaver	
Darin W. Deaver	

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