

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 AMENDED 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 March 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 March 4, 2009.

This amended 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)
Texas State Bar No. 00793361
Darin W. Deaver
Texas State Bar No. 24040779
Christopher W. Reynolds
Texas State Bar No. 24051247
Sonnenschein Nath & Rosenthal LLP
1717 Main Street, Suite 3400
Dallas, Texas 75201-7395
Telephone: (214) 259-0901
Facsimile: (214) 259-0910
Email: mcnelson@sonnenschein.com
ddeaver@sonnenschein.com
creynolds@sonnenschein.com

**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 AMENDED 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

14774132

**EMBARQ'S AMENDED FIFTH UNOPPOSED MOTION TO EXTEND TIME TO
ANSWER OR OTHERWISE RESPOND TO COMPLAINT**