

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

EOLAS TECHNOLOGIES INCORPORATED,	§	
	§	
	§	
Plaintiff.	§	Civil Action NO. 6:09-cv-446(LED)
	§	
vs.	§	JURY TRIAL
	§	
ADOBE SYSTEMS INC., ET AL	§	
	§	
Defendants.	§	

**UNOPPOSED MOTION TO EXTEND DEADLINE TO ANSWER
OR OTHERWISE RESPOND**

Defendant Argosy Publishing, Inc. (“Argosy”) moves the Court to extend the deadline to answer or otherwise respond to the Original Complaint up to and including December 17, 2009.

In support, Argosy would show the following:

The Original Complaint was filed on October 6, 2009. Argosy was served on October 8, 2009. Plaintiff Eolas Technologies Incorporated (“Eolas”) and Defendant Argosy have agreed to extend the deadline to answer or otherwise respond to the Original complaint up to and including December 17, 2009. This request is not made for purposes of delay, but so that justice may be done.

WHEREFORE, PREMISE CONSIDERED, Defendant Argosy requests that this Court extend the deadline for Argosy to answer or otherwise respond to the Original Complaint up to and including December 17, 2009.

DATED: October 26, 2009

Respectfully submitted,

By: /s/ N. Claire Abernathy

N. Claire Abernathy

State Bar No. 24053063

David P. Henry

State Bar No. 24027015

THE HENRY FIRM, P.C.

P.O. Box 3104

Longview, Texas 75606

Telephone: (903) 230-9874

Facsimile: (903) 230-9875

Email: dhenry@dhenryfirm.com

**ATTORNEYS FOR DEFENDANT,
ARGOSY PUBLISHING, INC.**

CERTIFICATE OF CONFERENCE

I certify that I have complied with the meet and confer requirement in Local Rule CV-7(H) and this motion is unopposed.

By: /s/ N. Claire Abernathy

CERTIFICATE OF SERVICE

I hereby certify that the following counsel of record who are deemed to have consented to electronic service are being served this 26th day of October, 2009, 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 will be served by electronic mail, facsimile transmission and/or first class mail on this same date.

By: /s/ N. Claire Abernathy