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

ANASCAPE, LTD.,	§	
	§	
Plaintiff,	§	
	§	
	§	
	§	
V.	§	Civil Action No. 9:06-cv-158-RC
	§	
MICROSOFT CORP. and	§	JURY TRIAL REQUESTED
NINTENDO OF AMERICA, INC.,	§	-
	§	
Defendants.	§	
	§	

<u>UNOPPOSED MOTION TO EXTEND DEADLINES RELATED TO MICROSOFT'S</u> <u>MOTION FOR PARTIAL SUMMARY JUDGMENT</u>

Plaintiff Anascape, Ltd. ("Anascape") files this Unopposed Motion to Extend Deadlines Related to Microsoft's Motion for Partial Summary Judgment. Anascape requests that the Court extend the deadlines related to Microsoft's Motion for Partial Summary Judgment to the following:

Plaintiff's Response to Motion for Partial Summary Judgment	January 15, 2008
Microsoft's Reply Brief	January 22, 2008
Plaintiff's Sur-Reply Brief	January 24, 2008.

This extension is not sought for delay. No other deadlines in this case will be affected, as the deadline for Plaintiff's Sur-Reply is not being extended, and the period of time between the Sur-Reply and the February 11, 2008 deadline for initial expert reports remains the same. Microsoft does not oppose this Motion.

Respectfully submitted,

McKOOL SMITH, P.C.

<u>/s/ Sam Baxter</u> Sam Baxter Lead Attorney Texas State Bar No. 01938000 sbaxter@mckoolsmith.com P.O. Box O 104 East Houston Street, Suite 300 Marshall, Texas 75670 Telephone: (903) 923-9000 Facsimile: (903) 923-9099

Theodore Stevenson, III Texas State Bar No. 19196650 tstevenson@mckoolsmith.com Anthony M. Garza Texas State Bar No. 24050644 agarza@mckoolsmith.com McKool Smith, P.C. 300 Crescent Court, Suite 1500 Dallas, Texas 75201 Telephone: (214) 978-4000 Facsimile: (214) 978-4044

Robert M. Parker Texas State Bar No. 15498000 rmparker@cox-internet.com Robert Christopher Bunt Texas State Bar No. 00787165 cbunt@cox-internet.com **Charles Ainsworth** Texas State Bar No. 00783521 charley@pbatyler.com Parker, Bunt & Ainsworth P.C. 100 E. Ferguson Street, Suite 1114 Tyler, Texas 75702 Telephone: (903) 531-3535 Facsimile: (903) 533-9687 **ATTORNEYS FOR PLAINTIFF** ANASCAPE, LTD.

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Plaintiff Anascape conferred with counsel for Microsoft regarding the foregoing Motion. Counsel for Microsoft represented that Microsoft did not oppose the Motion.

> /s/ Anthony M. Garza Anthony M. Garza

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a), on January 8, 2008. As such, this motion was served on all counsel who had consented to electronic service.

<u>/s/ Anthony M. Garza</u> Anthony M. Garza