

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

ANASCAPE, LTD.,

Plaintiff,

v.

MICROSOFT CORP. and
NINTENDO OF AMERICA INC.

Defendants.

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Civil Action No.: 9:06 cv 158
JUDGE RON CLARK

UNOPPOSED MOTION FOR EXTENSION OF TIME

NOW COMES Defendant Nintendo of America Inc. (“NOA”), with this Unopposed Motion for an Extension of Time to answer or otherwise respond to the Original Complaint in the above-captioned matter. Counsel for NOA has conferred with counsel for Plaintiff regarding an extension of time, and counsel agreed to a thirty (30) day extension of time to answer or otherwise respond to the Original Complaint. Defendant NOA’s Answer is currently due on August 24, 2006. This extension is not sought for purposes of delay, but so that NOA may thoroughly address the matters presented by the Original Complaint.

WHEREFORE, Defendant NOA respectfully requests a thirty (30) day extension of time to September 25, 2006 to file its Answer or otherwise respond to the Original Complaint.

/s/ James S. Blank

Robert J. Gunther, Jr. (*admitted pro hac vice*)

James S. Blank (*admitted pro hac vice*)

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Attorneys for Nintendo of America Inc.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing document has been served to the following counsel of record in the manner indicated this 23rd day of August, 2006

Via ECF/Notice of Electronic Filing

Sam Baxter
McKool Smith, P.C.
505 E. Travis, Suite 105
Marshall, Texas 75670

/s/ James S. Blank
James S. Blank (*admitted pro hac vice*)