

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION

HEARTBRAND BEEF, INC.,

Plaintiff,

V.

LOBEL'S OF NEW YORK, LLC,
WORLDWIDE MEDIA, INC.,
THOUGHT CONVERGENCE, INC.
AND YAHOO! INC.,

Defendants.

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CIVIL ACTION NO. 6:08-cv-00062

**UNOPPOSED MOTION FOR SECOND EXTENSION OF
TIME TO MOVE OR OTHERWISE PLEAD**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

NOW COMES Defendant, Yahoo! Inc. ("Yahoo!") and files this Unopposed Motion for Second Extension of Time to move or otherwise plead, and in support thereof shows:

1. On August 6, 2008, Defendant Yahoo! was served with citation.
2. Defendant's answer in this case was originally due on August 26, 2008.
3. Defendant filed its first unopposed motion to extend time to move or otherwise

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plead on August 25, 2008, requesting that Defendant's deadline to move or otherwise plead in this cause be extended until September 25, 2008.

4. This Court granted Defendant's motion on August 25, 2008, granting an extension of time until September 25, 2008.

5. Other Defendants in this cause have secured Plaintiff's agreement to an extension of time to respond to Plaintiff's Complaint until October 6, 2008.

6. Plaintiff has agreed that the deadline for Defendant Yahoo! to move or otherwise plead may be extended until October 6, 2008 to correspond to the response date for other Defendants.

7. Such extension is timely and is desired to allow parties additional time to confer and to prepare Defendant's pleading.

8. As stated in paragraph 6 above, counsel for Plaintiff has no objection to this extension.

WHEREFORE, PREMISES CONSIDERED, Defendant Yahoo!, Inc. prays that its deadline to move or otherwise plead in this cause be extended from the current deadline of September 25, 2008 to October 6, 2008.

Respectfully submitted,

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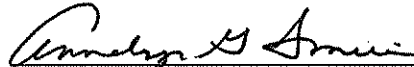
ATTORNEYS FOR DEFENDANT
YAHOO! INC.

CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of September, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following counsel of record:

Counsel for Plaintiff:

Mr. Ted D. Lee
Gunn & Lee, P.C.
700 North St. Mary's Street, Suite 1500
San Antonio, Texas 78205



Annalyn G. Smith

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CIVIL ACTION NO. 6:08-cv-00062

**ORDER ON DEFENDANT'S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO MOVE OR OTHERWISE PLEAD**

On this _____ day of _____, 2008, came on to be considered Defendant Yahoo!, Inc.'s Unopposed Motion for Second Extension of Time to Move or Otherwise Plead. The Court, having heard the arguments of counsel and reviewed the pleadings on file, finds that the motion is well taken.

It is therefore ORDERED that Defendant's deadline to move or otherwise plead in this cause is extended until October 6, 2008.

SIGNED this _____ day of _____, 2008.

United States District Judge