### UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

DANIEL R. CASTRO,	)
Plaintiff,	) )
V.	)
ENTREPRENEUR MEDIA, INC.,	)
Defendant.	)

Civil Action No. A 10 CA 695 LY

#### DEFENDANT'S UNOPPOSED MOTION FOR LEAVE TO FILE MOTION IN EXCESS OF PAGE LIMIT

Defendant Entrepreneur Media, Inc., moves the Court for leave to file its Partial Motion to Dismiss under Federal Rule of Civil Procedure 12(B)(6) (Defendant's "Motion"), which is in excess of the 10-page limitation set forth in the Local Rule CV-7(c). Defendant requires a moderate number of additional pages to address the multiple issues raised in Plaintiff's First Amended Original Complaint. Specifically, Defendant requests a total of 15 pages for its Motion.

#### **CERTIFICATE OF CONFERENCE**

Prior to filing this motion, counsel for Defendant conferred by email with Plaintiff concerning this motion. Plaintiff does not oppose the motion.

Respectfully submitted,

November 15, 2010

By:/s/ William G. Barber

William G. Barber Texas Bar No. 01713050 PIRKEY BARBER LLP 600 Congress Avenue, Suite 2120 Austin, Texas 78701 Tel: (512) 322-5200 Fax: (512) 322-5201

Perry J. Viscounty Admitted *Pro Hac Vice* Jennifer L. Barry Admitted *Pro Hac Vice* Latham & Watkins LLP 650 Town Center Drive 20<sup>th</sup> Floor Costa Mesa, CA 92626 Tel: (714) 540-1235 Fax: (714) 755-8290

# ATTORNEYS FOR DEFENDANT

## **CERTIFICATE OF SERVICE**

I hereby certify the on the 15<sup>th</sup> of November, 2010, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Daniel R. Castro CASTRO & BAKER, LLP 7800 Shoal Creek Blvd. Suite 100N Austin, TX 78757

> /s/ William G. Barber William G. Barber