

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

At Charleston

ERIK CURRAN,

Plaintiff,

v.

**CIVIL ACTION NO.: 2:07-0354
(Judge John T. Copenhaver)**

AMAZON.COM, INC., a Delaware corporation; GETTY IMAGES, INC., a Delaware corporation; ST. MARTIN'S PRESS, LLC, SIDESHOW, INC., d/b/a SIDESHOW COLLECTIBLES, a Delaware corporation; HOT TOYS LTD., a business entity incorporated in Hong Kong; and CAFÉPRESS.COM, INC., a Delaware corporation,

Defendants.

**RESPONSE OF AMAZON.COM, INC. AND
ST. MARTIN'S PRESS, LLC TO CAFÉPRESS.COM, INC.'S
MOTION TO EXTEND DISCOVERY DEADLINE**

COMES NOW, Amazon.Com, Inc. ("Amazon") and St. Martin's Press, LLC ("St. Martin's") by its counsel, Jackson Kelly PLLC, and states in response to the Motion To Extend Discovery Deadline filed by CaféPress.Com, Inc. ("Café Press") as follows:

1. Amazon and St. Martin's both have pending Motions To Dismiss.
2. The Motions To Dismiss filed by Amazon and St. Martin's are ripe for resolution.

3. Amazon and St. Martin's having only undertaken limited discovery while waiting for a resolution of the Motions To Dismiss believe that an extension of the existing discovery deadline would serve the interests of judicial economy.

WHEREFORE, Amazon.Com, Inc. and St. Martin's Press, LLC join in the request of CaféPress.Com, Inc. to extend the existing discovery deadline to February 22, 2008, or such other date as the Court may deem appropriate.

Dated: November 27, 2007

Respectfully submitted,

AMAZON.COM, INC. and ST. MARTIN'S
PRESS, LLC

By Counsel

/s/ David Allen Barnette
DAVID ALLEN BARNETTE (WVSB 242)
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Charleston, WV 25322
(304) 340-1327

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CERTIFICATE OF SERVICE

I, David Allen Barnette, counsel for Amazon.com, Inc., do hereby certify that on November 27, 2007, I electronically filed the *Certificate of Service for Amazon.Com, Inc. and St. Martin's Press, LLC's Response to Cafépress.Com, Inc.'s Motion To Extend Discovery Deadline* with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants shown below:

Andrew B. Cooke, Esquire
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P. O. Box 3752
Charleston, WV 25337-3752

I hereby certify that I have mailed *Certificate of Service for Amazon.Com, Inc. and St. Martin's Press, LLC's Response to Caf press.Com, Inc.'s Motion To Extend Discovery Deadline* by First Class United States Mail to the following non-CM/ECF participants:

Ian C. Ballon, Esquire
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s/David Allen Barnette
DAVID ALLEN BARNETTE