

ESTTA Tracking number: **ESTTA236736**

Filing date: **09/15/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	91185658
Applicant	Defendant LifeMax, Inc.
Other Party	Plaintiff Max International, LLC

## Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 09/15/2008. LifeMax, Inc. requests that such date be extended for 30 days, or until 10/15/2008, and that all subsequent dates be reset accordingly.

Time to Answer :	10/15/2008
Deadline for Discovery Conference :	11/14/2008
Discovery Opens :	11/14/2008
Initial Disclosures Due :	12/14/2008
Expert Disclosure Due :	04/13/2009
Discovery Closes :	05/13/2009
Plaintiff's Pretrial Disclosures :	06/27/2009
Plaintiff's 30-day Trial Period Ends :	08/11/2009
Defendant's Pretrial Disclosures :	08/26/2009
Defendant's 30-day Trial Period Ends :	10/10/2009
Plaintiff's Rebuttal Disclosures :	10/25/2009
Plaintiff's 15-day Rebuttal Period Ends :	11/24/2009

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

LifeMax, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

LifeMax, Inc. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,  
/joseph r. englander/  
Joseph R. Englander  
ptomail@shutts.com  
amys@lifemax.net, srichards@grimesreese.com  
09/15/2008