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Vermont Timber Works 5

DEC -2 1 2003

U.S. DISTRICT COURT
DISTRICT OF N.H.
FOR THE DISTRICT OF NEW HAMPSHIRE

DEC 17 8 10 PM '03

_____)
 T-Peg, Inc. and Timberpeg East, Inc.)
 Plaintiff,)
 v.)
 Stanley J. Isbitski and Vermont Timber Works, Inc.)
 Defendants.)
 _____)

MOTION

SPRINTED DATE 12/18/03

FILED

No. C-03-462-M

Steven J. McAuliffe
 STEVEN J. MCAULIFFE
 DISTRICT JUDGE

COPY TO COURT
 WITH ORDER HEREON
 12-19-03
 Whittington
 (cell)

**ASSENTED-TO MOTION TO EXTEND DEADLINE TO
OBJECT TO MOTION TO DISMISS UNTIL JANUARY 12, 2004**

NOW COME the plaintiffs, T-Peg, Inc. and Timberpeg East, Inc. ("Timberpeg"), by and through their attorneys, Devine, Millimet & Branch, Professional Association, and respectfully submit this assented-to motion to extend the deadline to object to the motion to dismiss of defendant, Vermont Timber Works, Inc. until January 12, 2004. In support of this assented-to motion, Timberpeg states as follows:

1. Defendant, Vermont Timber Works, filed a motion to dismiss dated December 3, 2003. Timberpeg was served by mail, and, accordingly, an objection is due on or before December 22.
2. The motion raises substantive issues concerning all of the claims in the complaint including whether the complaint states a claim for copyright violation. For those reasons, as well as for reasons involving plaintiffs' counsels' schedule and the upcoming holidays, Timberpeg requests an extension of time to object to the motion until January 12, 2004.
3. Counsel for Vermont Timber Works, Ned Whittington, Esquire, has been contacted and assents to the relief requested herein. See L.R. 7.1(c).

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

T-Peg, Inc. and Timberpeg East, Inc.)
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Plaintiff,)
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v.)
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Stanley J. Isbitski and Vermont Timber Works, Inc.)
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Defendants.)

No. C-03-462-M

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OBJECT TO MOTION TO DISMISS UNTIL JANUARY 12, 2004**

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3. Counsel for Vermont Timber Works, Ned Whittington, Esquire, has been contacted and assents to the relief requested herein. See L.R. 7.1(c).

4. The relief requested herein will not require the continuance for rescheduling of any trial or other proceedings scheduled in this action.

WHEREFORE, Timberpeg respectfully requests that this Court:

A. Extend the deadline to object to the motion to dismiss of Vermont Timberworks until January 12, 2004; and

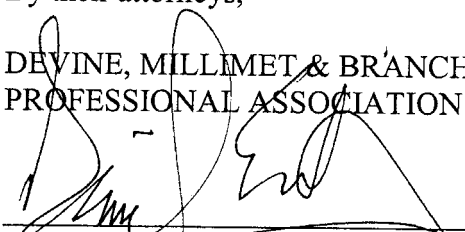
B. Grant such other and further relief as this Court deems just, equitable and proper.

Respectfully submitted,

T-PEG, INC. AND TIMBERPEG EAST, INC.

By their attorneys,

DEVINE, MILLIMET & BRANCH,
PROFESSIONAL ASSOCIATION



Daniel E. Will (#12176)
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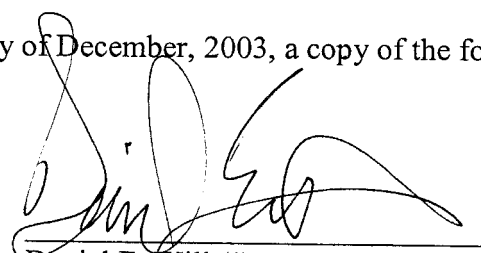
Dated: December 17, 2003

Of Counsel:

Stephen S. Woods, Esquire (#8240)
General Counsel for Plaintiffs
Timberpeg East, Inc.
c/o 68 Lyme Road
Hanover, NH 03755
(603) 643-6200

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of December, 2003, a copy of the foregoing was forwarded to W.E. Whittington, Esquire.



Daniel E. Will (#12176)