

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

DANIEL WALLACE,

Plaintiff,

v.

INTERNATIONAL BUSINESS MACHINES
CORPORATION;
RED HAT, INC.; and
NOVELL, INC.

Defendant.

Case No. 1:05-cv-678-SEB-VSS

**NOTICE OF INITIAL 30-DAY ENLARGEMENT
OF TIME TO RESPOND TO COMPLAINT**

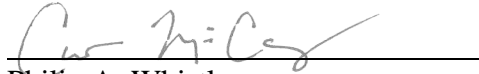
Comes now Defendant Novell, Inc. ("Novell"), pursuant to Local Rule 6.1, and notifies the Court that:

1. The Complaint in this case was served on Novell on or about May 15, 2005;
2. The responsive pleading thereto is due on June 6, 2005, and such date has not yet expired;
3. Undersigned counsel was retained by Novell late in the business day on June 6, 2005;
4. Immediately upon being retained, undersigned counsel for Novell placed calls to Plaintiff Daniel Wallace at two different telephone numbers and left voice messages, and undersigned counsel sent an email message to Plaintiff, all requesting Plaintiff's agreement to the initial 30-day enlargement of time.
5. Despite undersigned counsel's due diligence, undersigned counsel could not reach Plaintiff before the deadline for Novell's appearance expired.

6. Pursuant to Local Rule 6.1, the time within which Novell shall respond to the Complaint is hereby enlarged by 30 days to and including July 6, 2005.

Respectfully submitted,

ICE MILLER



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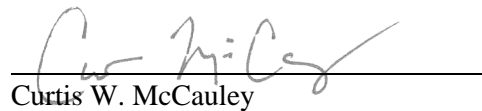
ICE MILLER
One American Square, Box 82001
Indianapolis, Indiana 46282-0200
Telephone: (317) 236-2100

Counsel for Defendants Red Hat, Inc., and
Novell, Inc.

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon the following by first-class United States mail, postage prepaid, this 6th day of June, 2005.

Daniel Wallace
P.O. Box 572
New Palestine, IN 46163



Curtis W. McCauley