

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**EVERY PENNY COUNTS, INC.,**  
*Plaintiff-Appellant,*

v.

**BANK OF AMERICA CORPORATION AND BANK OF  
AMERICA, N.A.,**  
*Defendants-Appellees.*

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2009-1442

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Appeal from the United States District Court for the  
Middle District of Florida in case no. 07-CV-00042, Judge  
Jon E. Steele.

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**ON MOTION**

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**ORDER**

Every Penny Counts, Inc. moves for a 49-day extension of time, until January 31, 2011, within which to file its opening brief.

Upon consideration thereof,

IT IS ORDERED THAT:

The motion is granted.

FOR THE COURT

NOV 29 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Harvey S. Kauget, Esq.  
Steven C. Cherny, Esq.

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**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

NOV 29 2010

JAN HORBALY  
CLERK