IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 08-cv-02646-REB-MEH

B & R PLASTICS, INC., a Colorado corporation,

Plaintiff,

v.

KIKKERLAND DESIGN, INC., a New York domestic business corporation,
BED, BATH & BEYOND, INC., a New York domestic business corporation,
BED, BATH & BEYOND, INC., a New York corporation,
LTD COMMODITIES, LLC, a foreign LLC, d/b/a ABC Distributing,
THE HOME DEPOT, INC. a Delaware corporation,
CRATE & BARREL HOLDINGS, INC., a Nebraska corporation,
THE AFTERNOON, INC., a Nebraska corporation,
YOLK INDUSTRIES, a California corporation,
AMAZON.COM, INC., a Delaware corporation,
QVC, INC., a Delaware corporation, a subsidiary of
Liberty Mutual Corporation, a Delaware corporation,
GARY URDANG, an individual and d/b/a
ALWAYS SOMETHING BRILLIANT,
THE SPORTSMAN'S GUIDE, INC., a Minnesota corporation,
CARMEL BAY COMPANY, a California corporation, and
METRO MARKET SALES INC., a New York corporation

Defendants.

AGREED MOTION TO ENLARGE TIME TO ANSWER THE AMENDED COMPLAINT TO DECEMBER 15, 2009

Plaintiff B & R Plastics, Inc. ("B&R") and Defendant Kikkerland Design, Inc. ("Kikkerland"), through their respective counsel, for their agreed motion to extend the time in which Defendants have to answer the Amended Complaint to December 15, 2009, respectfully state as follows:

1. By Order entered November 2, 2009, the Court granted Plaintiff's Renewed Motion to Amend Complaint (Docket No. 81), including a requirement that all new defendants be served on or before November 30, 2009. The answer or other responsive pleading of such newly added defendants would therefore be due no later than December 20, 2009.

2. Plaintiff has effected or is in the process of effecting service upon the new defendants, and is now receiving service returns.

3. Kikkerland has filed its Answer to Amended Complaint and has received and anticipates that it may continue to receive tenders of defense of this action from certain newly-added defendants with whom it has contractual relationships and potential indemnification issues.

4. Inasmuch as Kikkerland has not yet determined those new defendants on behalf of whom it may be required to prepare and file answers, nor the dates on which such defendants have been or will be served, additional time will be required to make these determinations and to clear any conflicts which may exist between the new defendants and the undersigned law firm.

5. Kikkerland therefore requests an enlargement of time within which to communicate with the newly added defendants, evaluate its indemnification obligations and submit answers on behalf of those new defendants who request defense and indemnification by Kikkerland. B & R Plastics, Inc. has no objection to the relief requested herein.

WHEREFORE, Kikkerland Design, Inc. respectfully requests that this Court enlarge the time in which newly added defendants must submit their answers until December 15, 2009, and for such additional relief as this Court deems appropriate.

Dated: November 25, 2009.

POLSINELLI SHUGHART, P.C.

s/ Glenn H. Lenzen

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Attorneys for Kikkerland Design, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 25th day of November, 2009, a true and correct copy of the foregoing **AGREED MOTION TO ENLARGE TIME TO ANSWER THE AMENDED COMPLAINT TO DECEMBER 15, 2009** was served via e-mail transmission, addressed to the following:

Erik G. Fischer
Erik G. Fischer, P.C.
125 S. Howes Street, Suite 900
Fort Collins, CO 80521

s/ Carol Christman