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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

BENCHMADE KNIFE CO., INC., an Oregon
corporation, and **MENTOR GROUP, L.L.C.**,
an Oregon Limited Liability Corporation,
Plaintiffs,

Civil Case No. 08-00967-HA

**MOTION FOR LEAVE TO FILE
THIRD AMENDED**

v.

JONATHAN BENSON, an individual doing
business as Roadside Imports, LLC, and
ROADSIDE IMPORTS, L.L.C., a Colorado
Limited Liability Corporation,
Defendants.

**PATENT CASE
TRADEMARK CASE**

Local Rule 7.1 Certification

As required by L.R. 7.1, the undersigned has attempted to confer with defendants about the filing of this motion by sending a message on March 17, 2009 by electronic mail to defendants' business email addresses, sales@assistedknives.com, sales@assistedknife.com, by using the "contact us" form found on defendants' www.assistedknife.com website, by electronic mail to jb@clubmott.com, believed to be defendant Benson's private email address and sending defendants a letter via U.S. mail . As of the filing of

this motion, defendants have not responded to these attempts. Plaintiffs have made a good faith effort to confer with defendants about this motion, but have been unable to do so because of defendants' refusal to respond.

Plaintiffs move for leave to file a third amended complaint under Fed. R. Civ. Proc.

15(a). A copy of the proposed third amended complaint is attached to the memorandum in support of this motion.

DATED: March 20, 2009.

CHERNOFF, VILHAUER, MCCLUNG & STENZEL, LLP

/s J. Peter Staples
J. Peter Staples, OSB No. 794042
Of Attorneys for Plaintiffs