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8 *Assurance Company and Allied World Assurance*
9 *Company (U.S.) Inc.*

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14 *Western Cooling Company and Yuma American*
15 *Cooling Corporation*

16 UNITED STATES DISTRICT COURT
17 EASTERN DISTRICT OF CALIFORNIA

18 ALLIED WORLD NATIONAL
ASSURANCE COMPANY, a New
Hampshire corporation, and ALLIED
19 WORLD ASSURANCE COMPANY (U.S.)
INC., a Delaware corporation,

20 Plaintiffs,

21 v.

22 SK PM CORP., a California corporation aka
23 "S.K. Foods PM Corp.," SK FOODS, L.P., a
California limited partnership, FREDERICK
24 SCOTT SALYER, an individual,
BLACKSTONE RANCH, a California
25 corporation aka "Blackstone Ranch Calif 'S'
Corp.," LISA CRIST, an individual, MARK
26 MCCORMICK, an individual,

27 (caption continued on next page)
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Case No. 1:10-CV-01262-OWW-GSA

**STIPULATION AND ORDER TO
EXTEND TIME TO RESPOND TO
COMPLAINT**

Current Response Date:

9/9/2010

New Response Date:

10/8/2010

SCOTT SALYER REVOCABLE TRUST, a trust, THE CAROLINE GAZELLE SALYER IRREVOCABLE TRUST, a trust, THE STEFANIE ANN SALYER IRREVOCABLE TRUST, a trust, SS FARMS, LLC, a California limited liability company, SK FOODS, LP 401K PLAN, an ERISA plan aka "SK Foods L.P. Blackstone Ranch & SK Foods L.P. 401K Plan," SARS, LLC, a California limited liability company, CSSS LP, a California limited partnership d/b/a Central Valley Shippers, SK FOODS LLC, a Nevada limited liability company, S.K. FOODS PM CORP., an entity or a d/b/a of unknown legal capacity, SKF AVIATION, LLC, a California limited liability company, SSC FARMING, LLC, a California limited liability company, RHM INDUSTRIAL/SPECIALTY FOODS, INC., a California corporation d/b/a Colusa County Canning Company and d/b/a SK Foods – Colusa Canning, CARMEL WINE MERCHANTS LLC, a California limited liability company, CIRCLE PACIFIC LTD., a New Zealand company, SUNRISE COAST JAPAN, an entity or a d/b/a of unknown legal capacity, SSC FARMS I, LLC, a California limited liability company, SSC FARMS II, LLC, a California limited liability company, SK FARM SERVICES, LLC, a California limited liability company, SK FROZEN FOODS, LLC, a California limited liability company, SALYER AMERICAN INSURANCE SERVICES, a California limited liability company, SSC FARMS III, LLC, a California limited liability company, SALYER AMERICAN COOLING, a general partnership, SALYER WESTERN COOLING COMPANY, a general partnership, YUMA AMERICAN COOLING CORPORATION, an entity or a d/b/a of unknown legal capacity, SAWTOOTH COOLING, LLC, a California limited liability company, and SALYER AMERICAN FRESH FOODS, a California corporation,

Defendants.

1 WHEREAS, on July 14, 2010, Plaintiffs Allied World National Assurance Company and
2 Allied World Assurance Company (U.S.) Inc. (collectively “Plaintiffs”) filed their complaint in
3 this matter against the above-captioned defendants (the “Complaint”);

4 WHEREAS, on July 23, 2010, Plaintiffs served the summons and Complaint on
5 Defendant Sawtooth Cooling, LLC (“Sawtooth Cooling”);

6 WHEREAS, the initial deadline for Sawtooth Cooling to respond to the Complaint was
7 August 13, 2010;

8 WHEREAS, Sawtooth Cooling, Defendant Salyer Western Cooling Company (“Salyer
9 Western Cooling”), and Defendant Yuma American Cooling Corporation (“Yuma American
10 Cooling”) (collectively the “Cooling Entities”) stipulated with Plaintiffs, through counsel, that the
11 deadline for the Cooling Entities to file their respective responses to the Complaint would be
12 September 9, 2010;

13 WHEREAS, the Cooling Entities and Plaintiffs believe that an early resolution of this
14 action may be possible without the necessity of the Cooling Entities filing a responsive pleading,
15 and are currently exploring such a resolution;

16 NOW THEREFORE, Plaintiffs and the Cooling Entities, through counsel, hereby agree
17 and stipulate:

18 1. To extend the time for the Cooling Entities to respond to the Complaint to October
19 8, 2010.
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Dated: September 8, 2010

TROUTMAN SANDERS LLP

By: /s/ Peter R. Lucier

Terrence R. McInnis
Kevin F. Kieffer
Peter R. Lucier

*Attorneys for Plaintiffs Allied World National
Assurance Company and Allied World
Assurance Company (U.S.) Inc.*

Dated: September 8, 2010

THOITS, LOVE, HERSHBERGER & MCLEAN

By: /s/ Jeffrey A. Snyder (as authorized on 9/8/10)

Jeffrey A. Snyder

*Attorneys for Sawtooth Cooling LLC, Salyer
Western Cooling Company and Yuma
American Cooling Corporation*

CERTIFICATION

Pursuant to Local Rule 131(e), I, PETER R. LUCIER, certify that on September 8, 2010 Jeffrey A. Snyder authorized me to submit this Stipulation and [Proposed] Order to Extend Time to Respond to Complaint on his behalf.

IT IS SO ORDERED.

Dated: September 8, 2010

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE