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9 Attorneys for Defendants

10 CHARTIS SPECIALTY INSURANCE COMPANY fka AMERICAN INTERNATIONAL
11 SPECIALTY LINES INSURANCE COMPANY and NATIONAL UNION FIRE INSURANCE
12 COMPANY

13 **UNITED STATES DISTRICT COURT**

14 **EASTERN DISTRICT OF CALIFORNIA**

15 TRAVELERS PROPERTY CASUALTY
16 COMPANY OF AMERICA, a Connecticut
17 corporation,

18 Plaintiff,

19 v.

20 OLD REPUBLIC INSURANCE
21 COMPANY, a Pennsylvania corporation; et
22 al; and DOES 1 through 10 inclusive,

23 Defendants.

Case No. 1:13-cv-00576-LJO-BAM

**STIPULATION AND ORDER TO EXTEND
TIME TO FILE A RESPONSIVE
PLEADING**

24 This Stipulation is entered into by and between Plaintiff TRAVELERS PROPERTY
25 CASUALTY COMPANY OF AMERICA (“Travelers”) and Defendant LEXINGTON
26 INSURANCE COMPANY (“Lexington”) by and through their respective attorneys’ of record.

27 **RECITALS**

- 28 1. WHEREAS Travelers filed its complaint in the instant action on April 19, 2013;
2. WHEREAS Travelers served Lexington on May 2, 2013 with the summons and
complaint in this action;

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1 3. WHEREAS Travelers and Lexington have agreed to an extension for Lexington to
2 respond to the complaint;

3 **IT IS HEREBY STIPULATED AND AGREED:**

4 4. Subject to the Court's approval, Lexington shall file a responsive pleading to the
5 complaint on or before June 13, 2013.

6 5. This stipulation shall not constitute an appearance by Lexington. Lexington does
7 not waive its right to challenge the Court's jurisdiction over this matter and/or whether Lexington
8 was validly served with the summons and complaint.

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10 DATED: June 6, 2013

HEROLD & SAGER

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/s/ Andrew Herold

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ANDREW D. HEROLD, ESQ.
Attorneys for Defendants
CHARTIS SPECIALTY INSURANCE COMPANY,
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA, and
LEXINGTON INSURANCE COMPANY

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17 DATED: June 6, 2013

THE AGUILERA LAW GROUP, APLC

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/s/ Angela Martin (as authorized 6-6-13)

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A. ERIC AGUILERA
KARIM. MYRON
ANGELA MARTIN
Attorneys for Plaintiff
TRAVELERS PROPERTY
CASUALTY COMPANY OF AMERICA

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ORDER

Based on the above stipulation of the parties, it is hereby ORDERED that Lexington Insurance Company shall file a responsive pleading to Plaintiff's Complaint on or before June 13, 2013.

IT IS SO ORDERED.

Dated: June 10, 2013

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE