

1 LINDA WENDELL HSU (SBN 162971)
lhsu@selmanbreitman.com
2 QUYEN THI LE (SBN 271692)
qle@selmanbreitman.com
3 SELMAN BREITMAN LLP
33 New Montgomery, Sixth Floor
4 San Francisco, CA 94105-4537
Telephone: 415.979.0400
5 Facsimile: 415.979.2099

6 Attorneys for Plaintiff NAUTILUS INSURANCE COMPANY

7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10 NAUTILUS INSURANCE COMPANY,

11 Plaintiff,

12 v.

13 ACCESS MEDICAL, LLC; ROBERT
14 CLARK WOOD, II; FLOURNOY
MANAGEMENT, LLC; TED SWITZER; and
15 DOES 1-10, inclusive,

16 Defendants.

Case No. 1:14-cv-01591-GEB-BAM

SECOND STIPULATION AND ORDER TO
EXTEND TIME FOR DEFENDANTS ACCESS
MEDICAL, LLC AND ROBERT CLARK WOOD,
II, TO RESPOND TO INITIAL COMPLAINT

Judge: Garland E. Burrell, Jr.

Complaint Filed: October 10, 2014

Complaint Served: December 4, 2014
Original Response Date: December 26, 2014
Current Response Date: January 9, 2015
New Response Date: January 23, 2015

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19 Pursuant to Local Rule 144, Plaintiff NAUTILUS INSURANCE COMPANY

20 ("Nautilus") and DEFENDANTS ACCESS MEDICAL, LLC ("Access Medical") and ROBERT
21 CLARK WOOD, II ("Wood"), by and through their respective counsel of record, hereby
22 stipulate as follows:

23
24 WHEREAS, Plaintiff Nautilus filed its Complaint for Declaratory Relief on October 10,
25 2014;

26 WHEREAS, Plaintiff alleges that it served the Summons and Complaint on Defendants
27 Access Medical and Wood by substituted service on December 4, 2014, making their original
28 deadline to respond to the Complaint as December 26, 2014;

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WHEREAS, the parties previously agreed that Access Medical and Wood may have an extension of time until January 9, 2015, to respond to Plaintiff's Complaint;

WHEREAS, the parties require additional time to evaluate the claims, and therefore have agreed for a second extension of time, until and including January 23, 2015, for Access Medical and Wood to respond to Plaintiff's Complaint;

IT IS SO STIPULATED between Plaintiff Nautilus, on the one hand, and Defendants Access Medical and Wood, on the other, by and through their undersigned attorneys, that the time for Access Medical and Wood to respond to Plaintiff Nautilus's Complaint is extended until and including January 23, 2015.

IT IS FURTHER STIPULATED between the parties that by entering in to this stipulation, Access Medical and Wood have not waived any defenses pursuant to Federal Rules of Civil Procedure, Rule 12, including venue, jurisdiction, insufficient process or insufficient service of process.

DATED: January 9, 2015
KRAVITZ, SCHNITZER & JOHNSON,
CHTD.

By: /s/ Jordan P. Schnitzer
JORDAN P. SCHNITZER
Attorneys for Defendants ACCESS MEDICAL,
LLC and ROBERT CLARK WOOD, II

DATED: January 9, 2015
SELMAN BREITMAN LLP

By: /s/ Quyen Thi Le
LINDA WENDELL HSU
QUYEN THI LE
Attorneys for Plaintiff NAUTILUS
INSURANCE COMPANY

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ORDER

The Court has reviewed the parties' agreement and adopts the stipulation. The time for Access Medical and Wood to respond to Plaintiff Nautilus's Complaint is extended until and including January 23, 2015.

IT IS SO ORDERED.

Dated: January 13, 2015

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE