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 5 THU TIET NGUYEN

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 8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

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 11 LIBERTY MUTUAL INSURANCE
 COMPANY,

CASE NO.: 2:14-cv-02532-TLN-AC

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 13 Plaintiff,

**STIPULATION AND ORDER GRANTING
 EXTENSION OF TIME TO FILE AN
 ANSWER**

14 vs.

15 THU NGUYEN, WILLIAM CULLIFER,

16 Defendants.
 _____/

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 18 **STIPULATION**

19 Defendant Thu Nguyen and Plaintiff Liberty Mutual Fire Insurance Company hereby
 20 Request this Court grant an extension of time for Defendant Thu Nguyen to file an Answer in
 21 this action, for the reasons expressed below.

22 This case stems from an underlying action wherein Ms. Nguyen was sued by William
 23 Cullifer, a person who claimed to be the son of Ms. Nguyen’s deceased husband. Liberty
 24 Mutual has asked this Court to determine whether or not it owes a defense and/or indemnity to
 25 Ms. Nguyen, it’s insured, regarding the lawsuit filed against Ms. Nguyen by Mr. Cullifer. Just
 26 last week, evidence was presented in the form of Mr. Cullifer’s birth certificate. The birth
 27 certificate clearly illustrates Mr. Cullifer is not the surviving son of Ms. Nguyen’s deceased
 28 husband. Counsel assigned to defend Ms. Nguyen and counsel herein for Ms. Nguyen have

1 both written to counsel for Mr. Cullifer to demand immediate dismissal of the underlying
2 action filed by Mr. Cullifer. To date, no response has been forthcoming.

3 It appears Mr. Cullifer will have to dismiss his Complaint against Ms. Nguyen, for lack
4 of standing. He cannot present a claim for wrongful death damages related to the death of a
5 person who he was not related to. This would make the instant action moot. In the
6 alternative, Mr. Cullifer will somehow be able to overcome the birth certificate and will
7 continue his pursuit of the underlying action. If that occurs, counsel for Ms. Nguyen and
8 counsel for Liberty Mutual have already begun discussing the likelihood of a stipulation that
9 would obviate the need to litigate this case and would save important judicial resources.

10 For the reasons stated above, the parties respectfully request this Court grant Defendant
11 Thu Nguyen a further extension to file her Answer, until April 17, 2015.

12 DATED: February 11, 2015

JONATHAN SAUL & ASSOCIATES

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By _____/s/_____
Jonathan Saul - SBN 189271
Attorneys for Defendant
THU NGUYEN

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17 DATED: February 11, 2015

ROPERS MAJESKI KOHN & BENTLEY

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By _____/s/_____
Norman Lau - SBN 253690
Attorneys for Plaintiff
LIBERTY MUTUAL FIRE INSURANCE
COMPANY

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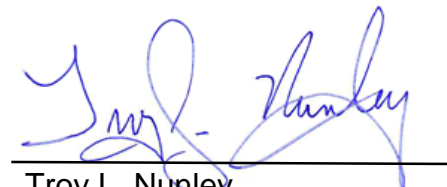
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22 IT IS SO ORDERED:

23 Dated: February 12, 2015

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Troy L. Nunley
United States District Judge

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