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Attorneys for Defendant  
 Hill Country Bakery, LLC

**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

NATIONWIDE AGRIBUSINESS  
 INSURANCE COMPANY, an Iowa  
 corporation,

Plaintiff,

vs.

HILL COUNTRY BAKERY, LLC,  
 a Texas limited liability company;  
 AUSTIN FREIGHT SYSTEMS,  
 INC., a Texas corporation; and  
 DOES 1 through 30, inclusive,

Defendants.

Case No. 2:15-CV-00488-MCE-CMK

ASSIGNED TO:

Chief Judge Morrison C. England, Jr.

REFERRED TO:

Magistrate Judge Craig M. Kellison

**JOINT MOTION AND  
 STIPULATION TO EXTEND  
 DEFENDANTS' TIME TO  
 RESPOND TO INITIAL  
 COMPLAINT; ORDER THEREON**

*Complaint Filed: February 4, 2015*

**JOINT MOTION AND STIPULATION TO EXTEND DEFENDANTS' TIME TO  
 RESPOND TO INITIAL COMPLAINT**

1 WHEREAS, Plaintiff NATIONWIDE AGRIBUSINESS  
2 INSURANCE COMPANY. (“Plaintiff”) filed a Complaint in the within action on  
3 February 4, 2015 and served it sometime after February 4, 2015;

4 WHEREAS, HILL COUNTRY BAKERY, LLC and AUSTIN  
5 FREIGHT SYSTEMS, INC. (collectively “Defendants”) filed Notice of Removal  
6 on March 4, 2015;

7 WHEREAS , this action is related to an earlier-filed action pending  
8 before Judge Garland E. Burrell, Jr. entitled *Crain Walnut Shelling, Inc. v. Hill*  
9 *Country Bakery, LLC, et al.*, United States District Court Case No. 2:15-CV-  
10 00034-GEB-CMK (the “Crain Action”) because the Plaintiff is seeking  
11 subrogation related to the allegations of the Crain Action;

12 WHEREAS, one or more of the parties will file Notice of Related  
13 Case regarding this action and the Crain Action;

14 WHEREAS, the parties desire to pursue settlement discussion of this  
15 action and the Crain Action and also to set response dates that are the same dates;  
16 and

17 WHEREAS, the parties have agreed that both Defendants may have  
18 additional time to respond to the initial Complaint to enable the parties to further  
19 discuss the merits of their respective claims and defenses and the potential to  
20 resolve this action without the need for further litigation;

21 IT IS HEREBY STIPULATED AND AGREED between the parties,  
22 by and through their counsel of record, and the parties hereby move this Court, as  
23 necessary, for an order providing, that Defendants shall have through and including  
24 April 13, 2015, to respond to Plaintiff’s initial Complaint.

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28 ///

1 DATED: March 10, 2015

HAYNES AND BOONE, LLP  
Kenneth G. Parker

2  
3 By: /s/ Kenneth G. Parker  
Kenneth G. Parker  
4 Attorneys for Defendant  
Hill Country Bakery, LLC

5  
6 MAIRE BURGEES & DEEDON  
Patrick L. Deedon

7 By: /s/ Patrick L. Deedon  
Patrick L. Deedon  
8 Attorneys for Defendant  
9 Austin Freight Systems, Inc.  
(as authorized on March 10, 2015)

10  
11 LAW OFFICE OF MCCARTHY &  
BEAVERS  
12 Jeffery Alan Korinko


13 By: /s/ Jeffery Alan Korinko  
Jeffery Alan Korinko  
14 Attorneys for Plaintiff  
Nationwide Agribusiness Insurance  
15 Company  
(as authorized on March 10, 2015)

16  
17 **ORDER**

18 The Court having reviewed the foregoing Stipulation, and good cause  
19 appearing therefor:

20 **IT IS HEREBY ORDERED** that both Defendants shall have through and  
21 including April 13, 2015, to respond to Plaintiff's initial Complaint.

22 Dated: March 12, 2015

23   
24 MORRISON C. ENGLAND, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT