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JAMES C. NIELSEN (111889) 1 jnielsen@nielsenhaley.com 2 **DANIEL N. KATIBAH (293251)** dkatibah@nielsenhaley.com 3 NIELSEN, HALEY & ABBOTT LLP 4 100 Smith Ranch Road, Suite 350 San Rafael, California 94903 5 Telephone: (415) 693-0900 Facsimile: (415) 693-9674 6 7 Attorneys for Defendant, PHILADELPHIA INDEMNITY INSURANCE COMPANY 8 9 UNITED STATES DISTRICT COURT 10 EASTERN DISTRICT OF CALIFORNIA 11 **12** Civil Action No.: 2:15-CV-01101-TLN-CAMP RICHARDSON RESORT, INC., AC13 Plaintiff, 14 FIRST STIPULATION TO EXTEND v. TIME TO RESPOND TO FIRST 15 AMENDED COMPLAINT: ORDER PHILADELPHIA INDEMNITY (L.R. 144) 16 INSURANCE COMPANY; Defendant. **17 HONORABLE** TROY L. NUNLEY 18 19 20 21 22 23 TO THE CLERK OF THE ABOVE-ENTITLED COURT: 24 Under Eastern District Local Rule 144(a) (Fed. Rules Civ. Proc., rule 6), the parties 25 hereby stipulate that Defendant Philadelphia Indemnity Insurance Company may have up to **26** and including February 17, 2016 to file an answer or otherwise respond to Plaintiff Camp 27 Richardson Resort, Inc.'s First Amended Complaint. This is the third such overall

extension of time in this case, but the first such extension in connection with Camp

FIRST STIPULATION TO EXTEND TIME TO RESPOND TO FIRST AMENDED COMPLAINT; ORDER

1 Richardson's First Amended Complaint. 2 Philadelphia seeks this extension because it intends to file a Motion to Dismiss 3 under Rule 12(b)(6) of the Federal Rules of Civil Procedure. The additional two weeks is 4 justified because the legal arguments in Philadelphia's motion and inherent in this dispute 5 are at once delicate and complex and will take more time to appropriately craft than the standard 21 days. Additionally, Philadelphia's two defense attorneys working on this 6 7 matter have been, and in the immediate term will continue to be, unable to devote sufficient 8 time to this matter as they are engaged with two pre-existing appellate matters which carry 9 with them deadlines that cannot be rescheduled and which include travelling to Fresno for oral argument. Collectively, these matters have prevented Philadelphia's attorneys from 10 11 devoting the necessary time to the preparation of their initial motion. Camp Richardson 12 does not object to Philadelphia's request for this extension. 13 14 January 26, 2016 **BANKS & WATSON** 15 By: 16 Attorneys for Plaintiff 17 CAMP RICHARDSON RESORT, INC. 18 19 January 26, 2016 NIELSEN, HALEY & ABBOTT LLP 20 21 Attorneys for Defendant 22 PHILADELPHIA INDEMNITY INSURANCE COMPANY 23 24 In accordance with the foregoing stipulation IT IS SO ORDERED. 25

Troy L. Nunley

United States District Judge

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Dated: January 26, 2016