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9 Attorneys for Plaintiff and counterdefendants

10 **IN THE UNITED STATES DISTRICT COURT**
 11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
 12 **(SACRAMENTO DIVISION)**

13 REX MOORE ELECTRICAL
 14 CONTRACTORS & ENGINEERS, a
 15 California General Partnership,

16 Plaintiff,

17 v.

18 HBE CORPORATION, dba HOSPITAL
 19 BUILDING AND EQUIPMENT COMPANY,
 20 a Delaware corporation, THE TRAVELERS
 21 COMPANIES, INC., dba TRAVELERS
 22 CASUALTY AND SURETY COMPANY OF
 23 AMERICA, a Connecticut corporation, CNA
 24 FINANCIAL CORPORATION, dba
 25 CONTINENTAL CASUALTY COMPANY,
 26 an Illinois corporation, and DOES 1 through
 27 30, inclusive,

28 Defendants.

29 HBE CORPORATION, dba HOSPITAL
 30 BUILDING AND EQUIPMENT COMPANY,
 31 a Delaware corporation,

32 Counterclaimant,

33 v.

34 REX MOORE ELECTRICAL

Case No: 2:15-cv-01905-JAM-AC

**STIPULATION FOR LEAVE TO
 AMEND THE COMPLAINT**

1 CONTRACTORS & ENGINEERS, a
California General Partnership; REX MOORE
2 ELECTRICAL CONTRACTORS &
ENGINEERS, INC., a California corporation;
3 REX MOORE GROUP, INC., a California
corporation; STEVEN REX MOORE, an
4 individual; DAVID REX MOORE, an
individual; WILLIAM CLIFFORD
5 HUBBARD, an individual; and ROES 1-20,

6 Counterdefendants.
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8

9 IT IS HEREBY STIPULATED by and between the parties through their respective attorneys
10 of record that Plaintiff Rex Moore Electrical Contractors may file an amended complaint, a copy of
11 which is attached hereto as **Exhibit A**.

12 IT IS FURTHER STIPULATED that the defendants waive notice and service of the
13 amended complaint and shall file an answer to the amended complaint within the time provided in
14 the Federal Rules of Civil Procedure. Defendants answer to the amended complaint will include
15 the same counter claim filed by counterclaimants on September 16, 2015. Furthermore,
16 counterdefendants' denials, responses and affirmative defenses contained in their answer to the
17 original counterclaim filed on September 16, 2015 shall be deemed to be responsive to the
18 counterclaim filed with the answer to the amended complaint.

19 A signed copy of this stipulation shall have the same force and effect as the original
20 document. IT IS SO STIPULATED.
21

22 Dated: October 2, 2015

ROGERS NEMETH GERMAIN PC

23 /S/ Christopher M. Rogers

24 By: CHRISTOPHER M. ROGERS

Attorneys for defendants and counterclaimants
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SIGNATURE ATTESTATION

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STIPULATION FOR LEAVE TO AMEND THE COMPLAINT

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Pursuant to Civil Local Rule, I hereby certify that authorization for the filing of this document has been obtained from each of the other signatories shown above and that all signatories concur in the filing's content

Dated: October 2, 2015

JACOBSON MARKHAM, L.L.P.

/S/ Patrick T. Markham
By: PATRICK T. MARKHAM
Attorneys for plaintiff and counterdefendants

ORDER

1 IT IS HEREBY ORDERED, the court accepts the parties' stipulation. Plaintiff shall have
2 leave to file an amended complaint; defendants waive notice and service of the amended complaint
3 and shall file their answer to the amended complaint within the time permitted by the Federal Rules
4 of Civil Procedure; and counterdefendants' denials, responses and affirmative defenses contained in
5 the answer to the original counterclaim filed on September 16, 2015 shall be responsive to the
6 counterclaim filed with the answer to the amended complaint.
7

8 October 6, 2015

/s/ John A. Mendez _____
9 JOHN A. MENDEZ
10 Judge of the United States District Court
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