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Attorneys for Defendant
ARCH SPECIALTY INSURANCE COMPANY

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

W. SCOTT HARKONEN,

Plaintiff,

vs.

ARCH SPECIALTY INSURANCE
COMPANY, a Wisconsin corporation,

Defendant.

Case No. CV 08-5458-MPH

**THIRD STIPULATION AND
[PROPOSED] ORDER TO EXTEND
TIME FOR DEFENDANT TO FILE
AN ANSWER AND/OR
OTHERWISE RESPOND TO THE
COMPLAINT**

(N.D. Local Rule 6-1)

Dept.: 15

WHEREAS, Plaintiff served Defendant with the Summons and
Complaint on December 5, 2008;

WHEREAS, the parties previously submitted a stipulation to extend
the time to file an answer and/or otherwise respond to the complaint to December
22, 2008;

WHEREAS, the parties submitted a second stipulation to extend the
time to file an answer and/or otherwise respond to the complaint to January 20,
2009;

1 **WHEREAS**, the parties are continuing discussions to potentially
2 resolve this action by stipulation .

3 **IT IS HEREBY STIPULATED**, pursuant to Local Rule 6-1, between
4 and among the parties hereto, by and through their respective counsel of record that
5 the Defendant's time to file an answer and/or otherwise respond to the complaint is
6 extended to February 3, 2009.

7 **IT IS HEREBY FURTHER STIPULATED**, that the parties' time to
8 file any Petition to Compel Arbitration is extended to February 3, 2009.

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10 DATED: January 20, 2009

KASOWITZ, BENSON, TORRES &
FRIEDMAN LLP

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By: William Goodman

William M. Goodman
Attorneys for Plaintiff
W. SCOTT HARKONEN

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DATED: January 20, 2009

MUSICK, PEELER & GARRETT LLP

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By: David Tartaglio

David A. Tartaglio
Attorneys for Defendant
ARCH SPECIALTY INSURANCE
COMPANY

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ORDER

IT IS SO ORDERED.

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DATED: 1/21/2009

Judge Marilyn H. Patel
U.S. District Court
Northern District of California

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