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13 Attorneys for Defendant
 14 ALLSTATE INDEMNITY COMPANY

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA
 17 SAN FRANCISCO DIVISION

18 JAROD NEIGUM,
 19 Plaintiff,
 20 vs.
 21 ALLSTATE INDEMNITY COMPANY,
 and DOES 1 through 100,
 22 Defendants.

No. CV 09-1758 VRW
 STIPULATION TO ADD AN
 AFFIRMATIVE DEFENSE TO
 DEFENDANT ALLSTATE INDEMNITY
 COMPANY'S ANSWER

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No. CV 09-1758 VRW

STIPULATION TO ADD AN
 AFFIRMATIVE DEFENSE

1 IT IS HEREBY STIPULATED by and between JAROD NEGIUM and ALLSTATE
 2 INDEMNITY COMPANY, by and through their respective attorneys of record, that Defendant
 3 Allstate may amend its answer to include a thirty-sixth affirmative defense for "advice of
 4 counsel," which reads as follow:

5 The Complaint, and each purported cause of action in the Complaint, is
 6 barred because Allstate relied on the advice of its legal counsel,
 7 McNamara, Dodge, Ney, Beatty, Slattery, Pfalzer, Borges & Brothers,
 8 LLP.

8 Dated: October 26, 2009

Respectfully Submitted,
 HINTON, COCHRAN & BORBA, LLP

11 By [Signature]
 CHARLIE COCHRAN

Attorneys for Plaintiff
 JAROD NEIGUM

14 Dated: October 27, 2009

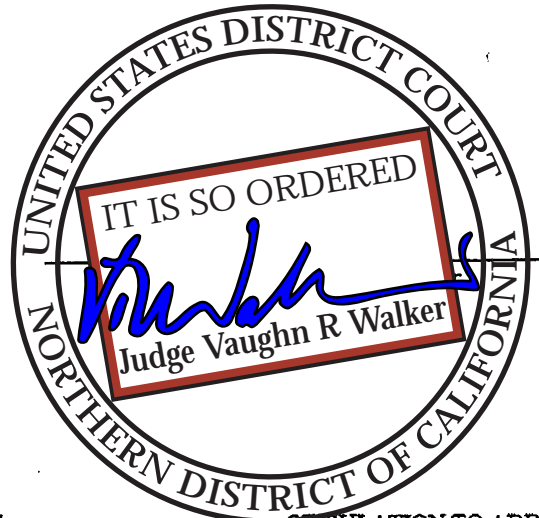
SONNENSCHN NATH & ROSENTHAL LLI

17 By [Signature]
 CYNTHIA MELLEMA

Attorneys for Defendant
 ALLSTATE INDEMNITY COMPANY

21 It is so ordered.

24 Dated: November 3, 2009



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