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 11 Swiss Reinsurance Company Ltd. and Swiss Re Life &  
 Health America Inc.  
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13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO

16 CHRISTA P.C. SULLIVAN,  
 17 Plaintiff,  
 18 v.  
 19 CHASE HOME FINANCE, LLC, et  
 al.,  
 20 Defendants.  
 21

No. C09-02876 SI

**STIPULATION AND ORDER FOR  
 SUBSTITUTION OF SWISS  
 REINSURANCE COMPANY LTD.  
 WITH SWISS RE LIFE & HEALTH  
 AMERICA INC. AND ADDITION OF  
 ADVANTA LIFE INSURANCE  
 COMPANY**

22 Pursuant to the Federal Rules of Civil Procedure, plaintiff CHRISTA P.C.  
 23 SULLIVAN (“Plaintiff”), defendant SWISS REINSURANCE COMPANY LTD. (“Swiss  
 24 Re Zurich”), SWISS RE LIFE & HEALTH AMERICA INC. (“SRLHA”), defendants  
 25 ADVANTA MORTGAGE CORP. and ADVANTA NATIONAL BANK (together,  
 26 “Advanta Entities”), ADVANTA LIFE INSURANCE COMPANY (“Advanta Life”) and  
 27 defendants CHASE HOME FINANCE, LLC successor by merger to CHASE  
 28 MANHATTAN MORTGAGE CORPORATION and CHASE BANK USA f/k/a Chase

1 Manhattan Bank USA, N.A. (together "Chase Entities"), by and through their respective  
2 attorneys of record, stipulate as follows:

3 1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), Plaintiff will dismiss Swiss Re  
4 Zurich from this case without prejudice by dismissing the action against this defendant  
5 only.

6 2. Pursuant to Fed. R. Civ. P. 15(a)(1)(A), Plaintiff will file an amended  
7 complaint naming SRLHA and Advanta Life as defendants and making other amendments  
8 as Plaintiff deems appropriate.

9 3. Plaintiff and SRLHA agree that SRLHA does not by this stipulation  
10 concede that SRLHA is a proper party to these proceedings, nor that it has any  
11 responsibility to Plaintiff.

12 4. Plaintiff, Advanta Entities, and Advanta Life agree that Advanta Entities  
13 and Advanta Life do not by this stipulation concede that Advanta Entities and Advanta  
14 Life are proper parties to these proceedings, nor that they have any responsibility to  
15 Plaintiff.

16 5. SRLHA, Advanta Entities, and Advanta Life reserve all of their rights  
17 under law to object to the amended complaint to be filed by Plaintiff through any and all  
18 procedural mechanisms available under the Federal Rules of Civil Procedure.

19 6. Plaintiff shall file the amended complaint on or before September 18,  
20 2009. Plaintiff agrees and stipulates that SRLHA, Advanta Life and/or any other  
21 defendant named shall not be required to respond to the amended complaint with a  
22 pleading or with any motion before October 19, 2009.

23 7. Advanta Entities and Chase Entities hereby give their written permission  
24 for Plaintiff to dismiss Swiss Re Zurich, as described in paragraph 1, above.

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8. Defendants withdraw the pending motions to dismiss and/or strike, currently set to be heard on October 9, 2009. Defendants reserve all rights to re-file or renew their motions in response to Plaintiff's amended complaint.

Dated: September 16, 2009

CARROLL, BURDICK & MCDONOUGH LLP MANNION and LOWE

/s/ Alan P. Jacobus

/s/ Wesley M. Lowe

Alan P. Jacobus  
Attorneys for Swiss Reinsurance Company Ltd.  
and Swiss Re Life & Health America Inc.

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/s/ Terrance J. Evans

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Attorneys for Chase Home Finance, LLC; Chase  
Manhattan Mortgage Corporation; and Chase  
Bank USA, N.A. (f/k/a Chase Manhattan Bank  
USA, N.A.)

Terrance J. Evans  
Attorneys for Advanta Mortgage Corp.  
USA, Advanta National Bank, and  
Advanta Life Insurance Company

PURSUANT TO STIPULATION, IT SO ORDERED.

Dated: September \_\_, 2009



Susan Illston  
United States District Court Judge