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 (as successor to CCI INSURANCE COMPANY,
 7 as successor to INSURANCE COMPANY OF
 NORTH AMERICA)

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10 EMPLOYERS INSURANCE COMPANY OF
 11 WAUSAU,

Case No.: 09 3419 CRB

12 Plaintiff,

13 vs.

**STIPULATION TO EXTEND THE TIME
 FOR CENTURY INDEMNITY
 COMPANY AND ONE BEACON
 INSURANCE GROUP TO RESPOND TO
 THE COMPLAINT FOR
 DECLARATORY RELIEF OF
 PLAINTIFF EMPLOYERS INSURANCE
 COMPANY OF WAUSAU**

14 PEPSIAMERICAS, INC.; TRAVELERS
 INDEMNITY COMPANY; CONTINENTAL
 15 INSURANCE COMPANY; ARGONAUT
 INSURANCE COMPANY; NORTHWESTERN
 16 NATIONAL INSURANCE COMPANY OF
 MILWAUKEE, WISCONSIN; NATIONAL
 17 UNION FIRE INSURANCE COMPANY OF
 PITTSBURGH, PA; CENTURY INDEMNITY
 18 COMPANY; ALLSTATE INSURANCE
 COMPANY; ONE BEACON INSURANCE
 19 GROUP; and DOES 1 through 50, inclusive,

20 Defendants.

21
 22 Century Indemnity Company, as successor to CCI Insurance Company, as successor to
 23 Insurance Company of North America ("Century"), along with OneBeacon America Insurance
 24 Company sued erroneously as OneBeacon Insurance Group ("OneBeacon"), and plaintiff
 25 Employers Insurance Company of Wausau ("Wausau") aver as follows:


26 WHEREAS, plaintiff Wausau filed its complaint for Declaratory Relief and Damages for
 27 Unjust Enrichment/Reimbursement of Defense Costs on June 29, 2009; and
 28

1 WHEREAS, Wausau served its complaint upon Century Indemnity Company on July 16,
2 2009 and upon OneBeacon on July 13, 2009; and

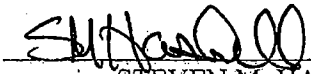
3 WHEREAS, defendant PepsiAmericas, Inc. filed a Notice of Removal of Action on or
4 about July 24, 2009, which has the effect of advancing the dates that the responses of Century
5 and OneBeacon to the complaint of Wausau were otherwise due to be filed.

6 WHEREFORE, the below signed hereby stipulate and agree that Century and OneBeacon
7 may each have until and including August 28, 2009, to file responses to plaintiff Wausau's
8 complaint.


9 DATED: BARBER LAW GROUP

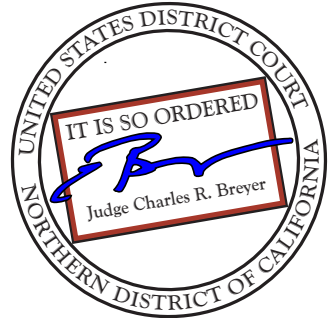
10
11 *8/4/09*
12 By 
13 BRYAN M. BARBER
14 Attorneys for Plaintiff,
EMPLOYERS INSURANCE COMPANY
OF WAUSAU

15 DATED: *8.5.09* BERMAN & AIWASIAN

16
17 By 
18 STEVEN M. HASKELL
19 Attorneys for Defendant,
20 CENTURY INDEMNITY COMPANY
(as successor to CCI INSURANCE COMPANY,
as successor to INSURANCE COMPANY OF
NORTH AMERICA)

21 DATED: *8/5/09* SELMAN BREITMAN LLP

22
23 By 
24 JAN L. POCATERRA
25 Attorneys for Defendant,
26 ONEBEACON AMERICA INSURANCE COMPANY



PROOF OF SERVICE

Employers Insurance Company of Wausau v. PepsiAmericas, Inc., et al.

Case No. 09 3419 CRB

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and am not a party to the within action; my business address is 11766 Wilshire Boulevard, Sixth Floor, Los Angeles, CA 90025. On August 5, 2009, I served the following document(s) described as STIPULATION TO EXTEND THE TIME FOR CENTURY INDEMNITY COMPANY AND ONE BEACON INSURANCE GROUP TO RESPOND TO THE COMPLAINT FOR DECLARATORY RELIEF OF PLAINTIFF EMPLOYERS INSURANCE COMPANY OF WAUSAU on the interested parties in this action as follows:

by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

See Attached Service List

- BY MAIL:** By placing a true copy thereof in a sealed envelope addressed as above, and placing it for collection and mailing following ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence, pleadings, and other matters for mailing with the United States Postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- BY OVERNIGHT COURIER:** I caused the above-referenced document(s) to be delivered to for delivery to the addressee(s).
- BY E-MAIL:** I transmitted a copy of the foregoing document(s) via e-mail to the addressee(s).
- BY FAX:** I transmitted a copy of the foregoing document(s) via telecopier to the facsimile numbers of the addressee(s), and the transmission was reported as complete and without error.
- BY PERSONAL SERVICE:** I personally delivered such envelope by hand to the offices of the addressee(s).

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on August 5, 2009, at Los Angeles, California.



JOYCE PATTERSON

Employers Insurance Company of Wausau v. PepsiAmericas, Inc., et al.
Case No. 09 3419 CRB

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