

Linda Wendell Hsu, Esq.  
 Mark E. Inbody, Esq.  
 SELMAN BREITMAN LLP  
 33 New Montgomery  
 Sixth Floor  
 San Francisco, CA 94105  
 Telephone: (415) 979-2051  
 Facsimile: (415)-979-2099  
 lhsu@selmanbrietman.com  
 minbody@selmanbreitman.com  
*Counsel to Cross-Defendant  
 Scottsdale Insurance Company*

Raymond H. Sheen, Esq.  
 JONES DAY  
 555 California Street, 26<sup>th</sup> Floor  
 San Francisco, CA 94104  
 Telephone: (415) 626-3939  
 Facsimile: (415) 875-5700  
 Email: rsheen@JonesDay.com  
*Counsel to Defendant/Cross-Claimant Odyssey  
 Thera, Inc.*

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

VALLEY FORGE INSURANCE COMPANY  
 AND CONTINENTAL CASUALTY  
 COMPANY,

Plaintiffs,

v.

ODYSSEY THERA, INC.,

Defendant.

**CASE NO. C12-00227-JSW**

**STIPULATION CONCERNING  
 CROSS-DEFENDANT SCOTTSDALE  
 INSURANCE COMPANY'S TIME TO  
 ANSWER OR OTHERWISE APPEAR**

ODYSSEY THERA, INC.

Counter/Cross-Claimant,

v.

VALLEY FORGE INSURANCE COMPANY,  
 CONTINENTAL CASUALTY COMPANY  
 AND SCOTTSDALE INSURANCE  
 COMPANY,

Counter/Cross-Defendants.

Pursuant to Local Civil Rules 6-2 and 7-12, Defendant/Cross-Claimant Odyssey Thera, Inc. (“Odyssey Thera”) and Cross-Defendant Scottsdale Insurance Company (“Scottsdale”) stipulate to extend Scottsdale’s time to answer or otherwise appear in the instant action from November 16, 2012 until November 30, 2012. The Court denied Scottsdale’s motion to dismiss on October 24, 2012. As required by Local Civil Rule 6-2, the signatories to the instant stipulation represent that:

1. Scottsdale seeks the extension as the parties have reached a settlement of this action, which they intend to document and finalize within the time provided for in this stipulation.
2. Two prior stipulations extending Scottsdale’s time to answer or otherwise appear has been previously granted by the Court;
3. Two prior stipulations extending Odyssey’s time to answer or otherwise appear have been previously granted by the Court; and
4. The requested time modification would have no effect on the schedule in place for this case.

Respectfully submitted,

Linda Wendell Hsu, Esq.  
Mark E. Inbody, Esq.  
SELMAN BREITMAN LLP  
33 New Montgomery  
Sixth Floor  
San Francisco, CA 94105  
Telephone: (415) 979-2051  
Facsimile: (415-979-2099  
lhsu@selmanbrietman.com  
minbody@selmanbreitman.com

Raymond H. Sheen, Esq.  
JONES DAY  
555 California Street, 26<sup>th</sup> Floor  
San Francisco, CA 94104  
Telephone: (415) 626-3939  
Facsimile: (415) 875-5700  
Email: rsheen@JonesDay.com

By: \_\_\_\_\_/s\_\_\_\_\_

By: \_\_\_\_\_/s\_\_\_\_\_

*Counsel to Cross-Defendant  
Scottsdale Insurance Company*

*Counsel for Defendant, Cross-Claimant  
Odyssey Thera, Inc.*

Alexis J. Rogoski, Esq.  
Edward C. Carleton, Esq.  
BOUNDAS, SKARZYNSKI,  
WALSH & BLACK, LLC  
One Battery Park Plaza  
32<sup>nd</sup> Floor  
New York, NY 10004

*Counsel to Cross-Defendant  
Scottsdale Insurance Company*

**PURSUANT TO STIPULATION IT IS SO  
ORDERED:**

Date: November 16, 2012

  
\_\_\_\_\_  
Hon. Jeffrey S. White

4852-6510-1585

C:\Documents and Settings\JP013203\Desktop\Stipulation re Answer, 4849-0059-0097 v.docx