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 10 UNIGARD INSURANCE COMPANY

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

13 PEDRO ARROYO,
 14 Plaintiff(s),
 15 vs.
 16 UNIGARD INSURANCE COMPANY,
 17 Defendants.

Case No. C-13-2810 JSW

APPLICATION FOR ORDER ALLOWING
 30 PAGE BRIEF; DECLARATION OF
 JEFFREY KAUFMAN IN SUPPORT OF
 APPLICATION; AND ~~PROPOSED~~ ORDER

18 Pursuant to Rule 7-4(b), U.S.D.C. Northern District Civil Local Rules, defendant
 19 Unigard Insurance Company files this unopposed application for leave to file a 30 page
 20 combined brief which includes Defendant's opposition to Plaintiff's Motion for Partial
 21 Summary Judgment as well as Defendant's Counter-Motion for Summary Judgment, or,
 22 in the Alternative, for Partial Summary Judgment. Plaintiff does not oppose this
 23 Application.

24 This application is based on the Declaration of Jeffrey Kaufman below, and is
 25 made for good cause, as the motions raise many issues in this multi-million dollar
 26 dispute, and Defendant is combining two briefs each of which could be 25 pages long
 27 under the applicable rules.

1 Defendant respectfully requests that this application be granted.

2 Dated: January 29, 2014

Respectfully submitted,

3 BRYDON HUGO & PARKER

4
5 By /s/ Jeffrey Kaufman

6 John R. Brydon

Jeffrey Kaufman

7 Attorneys for Defendant and Counterclaimant
Unigard Insurance Company

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9 DECLARATION OF JEFFREY KAUFMAN IN SUPPORT OF APPLICATION

10 I, Jeffrey Kaufman, declare:

11 1. I am an attorney at law, duly licensed to practice before all of the Courts
12 of the State of California, and this Court, and am Of Counsel to the law firm of Brydon
13 Hugo & Parker, attorneys for Defendant Unigard Insurance Company. Unless
14 otherwise indicated, I have personal knowledge of the facts stated in this declaration.

15 2. This is an insurance coverage action in which Plaintiff seeks to recover
16 over \$7.2 million from Defendant and seeks to foreclose Defendant from raising any of
17 its coverage defenses.

18 3. The Court established a schedule for the parties to file cross-motions for
19 summary judgment or partial summary judgment. Plaintiff filed his motion.
20 Defendant's opposition to Plaintiff's motion as well as Defendant's counter-motion are
21 due on January 31, 2014. The Court ordered that Defendant file one brief combining
22 both its opposition and its counter-motion.

23 4. If Defendant filed separate briefs opposing Plaintiff's motion and
24 presenting its own motion, the rules would allow 25 pages for each such brief. Rule 7-
25 4(b), U.S.D.C. Northern District Civil Local Rules.

26 5. There are many issues raised in the motions which need to be addressed.
27 These include, among others, issues relating to the terms and conditions of the policies,
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