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(SPACE BELOW FOR FILING STAMP ONLY)

**FILED**  
 MAY 20 2009  
 FEDERAL COURTS  
 DISTRICT OF CALIFORNIA  
 FRESNO

6 Attorneys for Defendant  
 AMERICAN HOME ASSURANCE COMPANY  
 7

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10

11 WHAM-O, INC., a Delaware corporation,  
 12 Plaintiff,  
 13 v.  
 14 AMERICAN HOME ASSURANCE  
 COMPANY, a New York corporation,  
 15 Defendant.  
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Case No. C09-01408 SBA  
**SUBSTITUTION OF COUNSEL AND  
 ORDER**

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1 Defendant, AMERICAN HOME ASSURANCE COMPANY, ("American Home"),  
2 hereby substitutes as its counsel of record, Lane Ashley of the firm of Lewis, Brisbois, Bisgaard  
3 & Smith, LLP, 221 N. Figueroa Street, Suite 1200 , Los Angeles, California 90012, (213) 250-  
4 1800, in place of James P. Wagoner of the firm of McCormick, Barstow, Sheppard, Wayte &  
5 Carruth LLP.

6 I consent to substitution of Mr. Ashley of the firm Lewis, Brisbois, Bisgaard & Smith,  
7 LLP in place of Mr. Wagoner of the firm McCormick, Barstow, Sheppard, Wayte & Carruth LLP  
8 as expressed above.

9  
10 Dated: May 21, 2009

/s/ Howard Endean  
Howard Endean  
On behalf of Defendant AMERICAN HOME  
ASSURANCE COMPANY

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13 As Counsel of Record herein, I, James P. Wagoner, hereby consent to the above-described  
14 substitution. I also attest that concurrence in this filing has been received from Howard Endean  
15 and Douglas Irvine.

16 Dated: May 21, 2009

/s/ James P. Wagoner  
James P. Wagoner  
McCormick, Barstow, Sheppard, Wayte &  
Carruth LLP

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19 I hereby accept the above substitution.

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21 Dated: May 21, 2009

/s/ Lane Ashley  
Lane Ashley  
Douglas Irvine  
Lewis, Brisbois, Bisgaard & Smith, LLP

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24 IT IS SO ORDERED.

25  
26 Dated: May 26, 2009

  
HON. SAUNDRA B. ARMSTRONG

27  
28 03674/01930-1396807.v1