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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

S.J. AMOROSO CONSTRUCTION
CO., INC.,

Plaintiff,

v.

LIBERTY SURPLUS INSURANCE
CORPORATION, and DOES 1 through 50,

Defendants.

Case No. C:09-cv-04197-PJH

**STIPULATION GRANTING
LEAVE FOR COUNTER-
DEFENDANT TO FILE AN
AMENDED ANSWER TO
LIBERTY SURPLUS INSURANCE
CORPORATION'S COUNTER-
CLAIM AND ORDER THEREON**

[FRCP Rule 15(a)(2),
Civil Local Rule 7-12]

AND ALL RELATED CROSS-ACTIONS

Courtroom: 3
Judge: Phyllis J. Hamilton

WHEREAS Counter-Defendant S.J. AMOROSO CONSTRUCTION
CO., INC. filed an answer to LIBERTY SURPLUS INSURANCE CORPORATION's
counter-claim on October 14, 2009;

WHEREAS Counter-Defendant wishes to file an amended answer to LIBERTY
SURPLUS INSURANCE CORPORATION's counter-claim to add some additional
affirmative defenses;

1 WHEREAS the parties have agreed to provide S.J. AMOROSO CONSTRUCTION
2 CO., INC. with ten days' leave to file a first amended answer to LIBERTY SURPLUS
3 INSURANCE CORPORATION's counter-claim;

4 WHEREAS S.J. AMOROSO CONSTRUCTION CO., INC.'s answer will be filed
5 before the January 7, 2010 Case Management Conference;

6 WHEREFORE it is hereby stipulated and agreed by and between the parties through
7 their respective counsel that Counter-Defendant S.J. AMOROSO CONSTRUCTION
8 CO., INC. shall have ten days' leave to file an amended answer to LIBERTY SURPLUS
9 INSURANCE CORPORATION's counter-claim.

10
11 Dated: December 22, 2009

GRECO TRAFICANTE SCHULZ & BRICK

12
13 By: s/ Peter J. Schulz

Clyde C. Greco, Jr., Esq.

Peter J. Schulz, Esq.

Attorneys for Plaintiff/Counter-Defendant

S.J. AMOROSO CONSTRUCTION CO., INC.

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17 Dated: December 23, 2009

McCORMICK BARSTOW LLP

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19 By: s/ Patrick Fredette

Patrick Fredette, Esq.

Attorneys for Defendant/Counter-Claimant

LIBERTY SURPLUS INSURANCE

CORPORATION

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24 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

25 Dated: December 22, 2009

26 By: _____
27 Hon. Phyllis J. Hamilton

