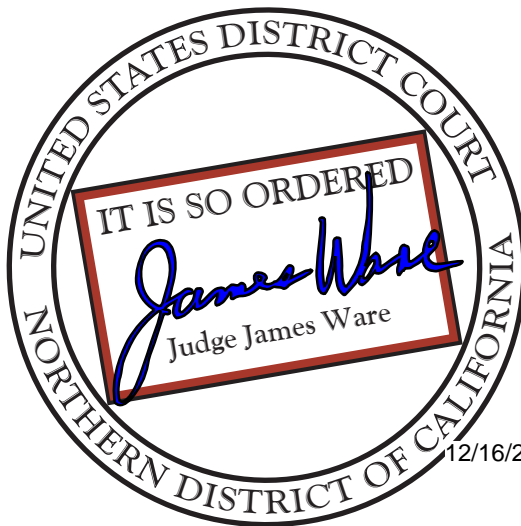


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12/16/2009

6 UNITED STATES DISTRICT COURT
 7
 8 NORTHERN DISTRICT OF CALIFORNIA
 9
 10 SAN JOSE DIVISION

11 UNITED STATES FIRE INSURANCE
 12 COMPANY, a corporation,

Plaintiff,

v.

13 VESTA STRATEGIES, LLC, a limited
 14 liability company; SAMUEL W. HENKA,
 an individual,

Defendants.

16 SAMUEL W. HENKA, an individual, et
 17 al.,

Counter-claimants,

v.

18 UNITED STATES FIRE INSURANCE
 19 COMPANY, a corporation.

Counter-Defendants.

Case No. C 09-02388 JW PVT

**STIPULATION FOR FOURTH
 EXTENSION OF TIME FOR CROSS-
 DEFENDANTS LIBERTY MUTUAL
 INSURANCE COMPANY TO
 RESPOND TO CROSS-COMPLAINT**

28

1 SAMUEL W. HENKA, an individual, et
2 al.,

3 Cross-Claimants,

4 v.

5 VESTA STRATEGIES, LLC, a limited
6 liability company, et al.,

7 Cross-Defendants.

8 Pursuant to Civil Local Rule 6-1(a), cross-claimants Samuel W. Henka,
9 Michael and Joyce Simmons, Christopher Walsh and Maria Del Carmen Alonso and cross-
10 defendants Liberty Mutual Life Insurance Company ("Liberty Mutual") hereby stipulate
11 that Liberty Mutual may have a further 2-day extension of time to and including December
12 16, 2009, within which to respond to the Counter-Complaint and Cross-Complaint filed
13 August 7, 2009 as Docket No. 13. Three previous extensions have been granted to Liberty
14 Mutual on September 14, 2009, October 27, 2009 and December 7, 2009 respectively.
15 Liberty Mutual does not anticipate any further requests for extensions of time.

16 Cozen O'Connor has just recently been retained by Liberty Mutual Insurance
17 Company and requires a final brief extension to file its responsive pleading, which will be
18 a Rule 12(b)(6) Motion to Dismiss. Liberty Mutual's Motion to Dismiss is currently being
19 reviewed by Liberty Mutual, and the short further extension is requested so that Liberty
20 Mutual can approve the Motion to Dismiss. Upon client approval, Liberty Mutual
21 Insurance will file the Motion. This extension will not alter the date of any event or any
22 deadline already fixed by Court order.

23 **STIPULATION**

24 It is hereby stipulated by the cross-claimants Samuel W. Henka, Michael and
25 Joyce Simmons, Christopher Walsh and Maria Del Carmen Alonso and cross-defendants
26 Liberty Mutual Life Insurance Company ("Liberty Mutual") that Liberty Mutual shall have
27

1 until December 16, 2009, within which to file a response to the Counter-Complaint and
2 Cross-Complaint Complaint filed August 7, 2009 as Docket No. 13.

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Dated: December 14, 2009

COZEN O'CONNOR

By

CHARLES E. WHEELER

Attorneys for Cross-Defendant
LIBERTY MUTUAL INSURANCE COMPANY

Dated: December 14, 2009

HOLLISTER & BRACE

By



ROBERT L. BRACE
PETER L. CANDY

Attorneys for Defendants, Counter-Claimants and
Cross-Claimants SAMUEL W. HENKA,
MICHAEL and JOYCE SIMMONS,
CHRISTOPHER WALSH and MARIA DEL
CARMEN ALONSO

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4 Dated: December 14, 2009

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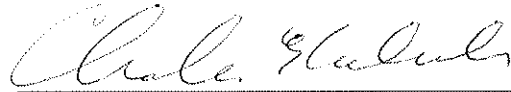
COZEN O'CONNOR

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By



CHARLES E. WHEELER

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Dated: December 14, 2009

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