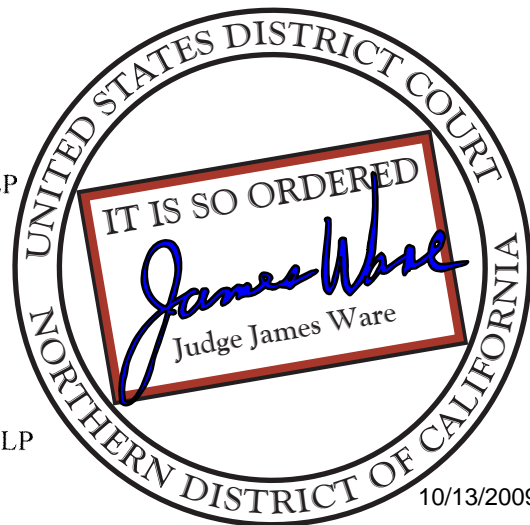


1 FRANK FALZETTA, Cal. Bar No. 125146
 2 ffalzetta@sheppardmullin.com
 3 SHEPPARD MULLIN RICHTER & HAMPTON LLP
 333 South Hope Street, 48th Floor
 3 Los Angeles, California 90071-1448
 Telephone: 213-620-1780
 4 Facsimile: 213-620-1398

5 TED C. LINDQUIST, III, Cal. Bar No. 178523
 6 tlindquist@sheppardmullin.com
 6 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
 Four Embarcadero Center, 17th Floor
 7 San Francisco, California 94111-4109
 Telephone: 415-434-9100
 8 Facsimile: 415-434-3947

9 Attorneys for Cross-Defendant
 LIBERTY MUTUAL INSURANCE COMPANY



11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN JOSE DIVISION

14 UNITED STATES FIRE INSURANCE
 COMPANY, a corporation,

15 Plaintiff,

16 v.

17 VESTA STRATEGIES, LLC, a limited
 18 liability company; SAMUEL W. HENKA,
 an individual,

19 Defendants.

21 SAMUEL W. HENKA, an individual, et
 22 al.,

23 Counter-claimants,

24 v.

25 UNITED STATES FIRE INSURANCE
 COMPANY, a corporation.

26 Counter-Defendants.

Case No. C 09-02388 JW PVT

**STIPULATION FOR FIRST
 EXTENSION OF TIME FOR CROSS-
 DEFENDANT LIBERTY MUTUAL
 INSURANCE COMPANY TO
 RESPOND TO CROSS-COMPLAINT**

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 defendant Liberty Mutual Life Insurance Company ("Liberty Mutual"), hereby stipulate
11 that Liberty Mutual may have a 45-day extension of time to and including November 13,
12 2009, within which to respond to the Counter-Complaint and Cross-Complaint filed
13 August 7, 2009 as Docket No. 13. No previous extensions have been granted. This
14 extension will not alter the date of any event or any deadline already fixed by Court order.

15
16 Dated: September 29, 2009

17 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

18
19 By


20 _____
21 TED C. LINDQUIST, III

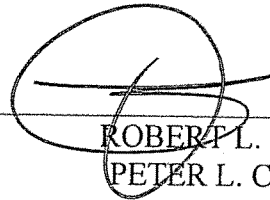
22 Attorneys for Cross-Defendant
23 LIBERTY MUTUAL INSURANCE COMPANY
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: September 29, 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