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9 Attorneys for Defendants RESOURCE  
 DEVELOPMENT SERVICES, INC. and JAMES  
 10 LUCERO

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

15 NATIONAL UNION FIRE INSURANCE  
 16 COMPANY OF PITTSBURGH,

CASE NO. C-10-01324 JF

17 Plaintiff,

**STIPULATION AND ~~PROPOSED~~  
 ORDER EXTENDING TIME FOR  
 DEFENDANTS RESOURCE  
 DEVELOPMENT SERVICES, INC.  
 AND JAMES LUCERO TO ANSWER OR  
 OTHERWISE RESPOND TO FIRST  
 AMENDED COMPLAINT**

18 v.

19 RESOURCE DEVELOPMENT SERVICES,  
 INC. et al.,

20 Defendants.

21  
 22  
 23 **STIPULATION**

24 WHEREAS plaintiff National Union Fire Insurance Company of Pittsburgh (“National  
 25 Union”) filed its original complaint in this action on March 29, 2010;

26 WHEREAS defendants Resources Development Services, Inc. (“RDS”) and James Lucero  
 27 were not served with a copy of the original complaint;

1 WHEREAS plaintiff National Union filed a First Amended Complaint on June 1, 2010;

2 WHEREAS defendants RDS and James Lucero were served with a copy of the First  
3 Amended Complaint on or about July 22, 2010;

4 WHEREAS defendants RDS and James Lucero have 21 days to answer or otherwise  
5 respond to the First Amended Complaint pursuant to Federal Rule of Civil Procedure 12(a)(1);

6 WHEREAS defendants RDS and James Lucero recently retained counsel to represent them  
7 in this matter;

8 WHEREAS counsel for defendants RDS and James Lucero require additional time to  
9 review the First Amendment Complaint and prepare an answer or other response thereto;

10 WHEREAS plaintiff's counsel does not object to extending the time in which defendants  
11 RDS and James Lucero may answer or otherwise respond to the First Amended Complaint;

12 WHEREAS the next hearing in this matter is presently scheduled for September 24, 2010;

13 IT IS HEREBY AGREED AND STIPULATED that the deadline by which defendants  
14 RDS and James Lucero must answer or otherwise respond to the First Amended Complaint should  
15 be extended to September 3, 2010.

16 IT IS SO STIPULATED.

17

18 DATED: August 11, 2010

*/s/ Josh Cohen*  
\_\_\_\_\_  
MARTÍN A. SABELLI  
JOSH A. COHEN  
Attorneys for Defendants Resources Development  
Services, Inc. and James Lucero

22 DATED: August 11, 2010

23 ROPERS, MAJESKI, KOHN & BENTLEY  
  
*/s/ Eugene Suh*  
\_\_\_\_\_  
EUGENE SUH  
Attorneys for Plaintiff

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**ORDER**

By stipulation, and for good cause shown, it is hereby ordered that defendants Resources Development Services, Inc. and James Lucero shall have until September 3, 2010 to answer or otherwise respond to the First Amended Complaint.

IT IS SO ORDERED.

DATED: August 13, 2010

  
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JEREMY FOGEL  
UNITED STATES DISTRICT JUDGE