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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

STEVEN A. KEGEL,
Plaintiff,

vs.

BROWN & WILLIAMSON TOBACCO
CORPORATION; R.J. REYNOLDS
TOBACCO CO.; *et al.*,
Defendants.

Case No.: 3:06-cv-00093-BES (VPC)

**STIPULATION TO EXTEND TIME FOR
PLAINTIFF TO FILE HIS OPPOSITION
TO DEFENDANTS' MOTION TO
DISMISS PLAINTIFF'S TENTH CLAIM
FOR RELIEF AND HIS REPLY TO
DEFENDANTS' POINTS AND
AUTHORITIES IN OPPOSITION TO
MOTION FOR RECONSIDERATION
[THIRD REQUEST]**

Pursuant to Local Rules 6-1 and 7-1, Plaintiff Steven Kegel and Defendants Brown & Williamson Tobacco Corporation, Brown & Williamson Tobacco Corporation Short Term Disability Plan For Salaried Employees; Brown & Williamson Tobacco Corporation Welfare & Fringe Benefit Plan; Retirement Plan For Salaried Employees Of Brown & Williamson Tobacco Corporation and Certain Affiliates; R.J. Reynolds Tobacco Company; Brown & Williamson Tobacco Corporation/Reynolds American Inc. Special Severance Benefits; and RAI Employee Benefits Committee hereby **STIPULATE** and **AGREE** to an additional amount of time for Plaintiff Steven Kegel to file his Opposition to Defendants' Motion to Dismiss

1 Plaintiff's Tenth Claim for Relief and to file his Reply to Defendants' Point and Authorities in
2 Opposition to Motion for Reconsideration to and including June 22, 2009.

3 Although Plaintiff's counsel have been arduously working on the Opposition and Reply,
4 due to the complexity of the issues and Plaintiff's counsels' calendars, they are unable to
5 complete the Opposition and Reply by the current deadline.

6 The parties state that the present Stipulation for Extension of Time is made in good
7 faith, not for purpose of delay, and there is good cause for the extension. Barring any
8 unforeseen circumstances, the parties agree that no further extensions of time will be
9 requested.

10 DATED this 10th day of June, 2009.

11 ROSE LAW OFFICE

MORRIS & PETERSON

12
13 By: /s/ Sean P. Rose
14 SEAN P. ROSE, ESQ.
15 Nevada Bar No. 5472
16 150 Huffaker Lane, Suite 101
17 Reno, NV 89511
18 *Attorney for Plaintiff*
19 *Steven Kegel*

By: /s/Suellen Fulstone (with permission)
SUELLEN FULSTONE, ESQ.
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Reno, NV 89511
Attorney for Defendants
Brown & Williamson, et al./
R.J. Reynolds Tobacco
Company, et al.

IT IS SO ORDERED.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

DATED: June 11, 2009