

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION  
Case Number: 1:08-CV-0854

DUKE UNIVERSITY AND DUKE )  
UNIVERSITY HEALTH SYSTEM, )  
INC., )

Plaintiff, )

v. )

NATIONAL UNION FIRE )  
INSURANCE COMPANY OF )  
PITTSBURGH, PA., )

Defendant and Third-Party )  
Plaintiff, )

v. )

UNITED EDUCATORS INSURANCE, )  
A RECIPROCAL RISK RETENTION )  
GROUP, )

Third-Party Defendant )

MOTION FOR EXTENSION  
OF TIME IN WHICH TO  
RESPOND TO NATIONAL  
UNION’S THIRD PARTY  
COMPLAINT

Pursuant to Fed. R. Civ. Pro. 6(b) and L.R. 6.1(a), Third-Party Defendant United Educators Insurance (“United Educators”), with the consent of Third-Party Plaintiff National Union Fire Insurance Company of Pittsburgh, PA (“National Union”), move for an extension of time in which to respond to National Union’s Third-Party Complaint. In support, United Educators shows the Court as follows:

1. National Union filed the Third-Party Complaint on January 16, 2009, and it was served on United Educators on January 26, 2009. Accordingly, United Educators’ deadline to respond to National Union’s Third-Party Complaint has not expired.

2. Good cause exists for an extension of time because United Educators requires additional time to investigate this matter and more thoroughly prepare and serve a response to the Third-Party Complaint

3. National Union has given its consent for a two-week extension of United Educators' time to respond, to and including Tuesday, March 3, 2009.

WHEREFORE, United Educators, with consent of National Union, requests that this Motion for Extension of Time be granted and that the time by which United Educators must respond to Plaintiffs' Third-Party Complaint be enlarged to and including Tuesday, March 3, 2009.

Respectfully submitted this the 13<sup>th</sup> day of February, 2009.

SMITH, ANDERSON, BLOUNT, DORSETT,  
MITCHELL & JERNIGAN, L.L.P.

By: /s/ K. Alan Parry  
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## CERTIFICATE OF SERVICE

I hereby certify that on the 13<sup>th</sup> day of February, 2009, I electronically filed the foregoing Motion for Extension of Time to Respond to National Union's Third Party Complaint with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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This the 13<sup>th</sup> day of February, 2009.

/s/K. Alan Parry  
K. Alan Parry