

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

National Union Fire Insurance Company of Pittsburgh, PA (hereinafter “National Union”), through undersigned counsel and pursuant to Rule 6 of the Federal Rules of Civil Procedure, respectfully moves this Court to allow it up to and through April 15, 2009 to respond to the Motion to Dismiss filed by Third-Party Defendant United Educators Insurance, a Reciprocal Risk Retention Group (“United Educators”). United Educators has consented to this request. In support of this Motion, National Union states as follows:

1. On November 24, 2008, Duke University and Duke University Health System, Inc. (“Duke”) filed a Complaint against National Union. *See* Dkt. 1.

2. On January 16, 2009, National Union filed an Answer, Counterclaim, and Third-Party Complaint against United Educators. *See* Dkt. 8.
3. On March 3, 2009, Third-Party Defendant United Educators filed a Motion to Dismiss or Stay this case pursuant to Fed. R. Civ. P. 12(b)(1) and 12(b)(6). *See* Dkt. 23.
4. United Educators has agreed to allow National Union up to and through April 15, 2009 to file its Response to United Educators' Motion to Dismiss.
5. This Motion is made in good faith and not for purposes of delay, and granting this Motion will not unduly delay this proceeding.
6. This Motion is being filed before the time for National Union to file its Response to United Educators' Motion to Dismiss has lapsed or expired.
7. A Proposed Order granting this request is being submitted contemporaneously herewith.

Respectfully submitted, this the 26th day of March, 2009.

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of March, 2009, I electronically filed the foregoing Motion for Extension of Time 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 26th day of March, 2009.

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