

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

STERN FAMILY REAL ESTATE)	No. 2:06-cv-130
PARTNERSHIP,)	
)	
Plaintiff)	
)	
v.)	
)	
PHARMACISTS MUTUAL INSURANCE)	
COMPANY, an Iowa corporation,)	
)	
Defendant)	

APPENDIX IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

NOW, comes the Defendant, Pharmacists Mutual Insurance Company (“Pharmacists Mutual”), by and through its attorneys, Dapper, Baldasare, Benson, Behling & Kane, P.C., and files the following Appendix in Support of Motion for Summary Judgment pursuant to Local Rule 56.1.B.3:

- Exhibit 1: July 18, 2008 estimate of Mader’s Fire Repair, Inc.
- Exhibit 2: Exhibit 1 to the October 11, 2007 deposition transcript of Louis D. Stern.
- Exhibit 3: October 11, 2007 deposition transcript of Louis D. Stern.
- Exhibit 4: Exhibit 7 to the July 23, 2007 deposition transcript of Clifford H. Lange.
- Exhibit 5: July 18, 2008 report of Frank Loehnert, Jr.

Exhibit 6: October 7, 2008 deposition transcript of Frank Loehnert, Jr.

Exhibit 7: September 9, 2008 deposition transcript of Albert W. Mader, Jr. (without exhibits).

Respectfully Submitted,

DAPPER, BALDASARE, BENSON, BEHLING &
KANE, P.C.

BY /s/ Robert J. Behling
Robert J. Behling (Pa. I.D. # 30659)
Christopher M. Jacobs (Pa. I.D. # 89092)

Four Gateway Center
444 Liberty Avenue, 10th Floor
Pittsburgh, PA 15222-1225
(412) 456-5555
(412) 456-2109 (Fax)

Attorneys for Defendant

CERTIFICATE OF SERVICE

The undersigned does hereby certify a copy of the within Appendix in Support of Motion for Summary Judgment was filed electronically on October 30, 2008. Notice of this filing will be sent to all Parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Robert J. Behling

Robert J. Behling
Christopher M. Jacobs