

HONORABLE RICARDO S. MARTINEZ

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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

2328 FAIRVIEW CONDOMINIUM  
ASSOCIATION, a Washington non-profit  
corporation,  
  
Plaintiff,  
  
v.  
  
CONTINENTAL WESTERN INSURANCE  
COMPANY, an Iowa Corporation; and DOE  
INSURANCE COMPANIES 1-10,  
  
Defendants.

No: 2:16-cv-01722-RSM

**STIPULATED MOTION AND  
ORDER TO AMEND GREAT  
AMERICAN COMPLAINT**

2328 FAIRVIEW CONDOMINIUM  
ASSOCIATION, a Washington non-profit  
corporation,  
  
Plaintiff,  
  
v.  
  
GREAT AMERICAN INSURANCE  
COMPANY, a Ohio Corporation;  
AMERICAN FIRE & CASUALTY  
COMPANY, a New Hampshire  
Corporation; AMERICAN ECONOMY  
INSURANCE COMPANY, a Massachusetts  
Corporation; LIBERTY MUTUAL  
INSURANCE COMPANY, a Massachusetts  
Corporation  
  
Defendants.

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**I. STIPULATION**

1. Based off secondary evidence of insurance Plaintiff 2328 Fairview Condominium Association (the “Association”) tendered to Great American Insurance Company Policy No. SPP9964688. Liberty Mutual responded to the tender on behalf of Great American and entered into a tolling agreement listing Great American as the entity insuring the Association. Upon expiration of the tolling agreement, the Association filed suit against Great American Insurance Company, Policy No. SPP9964688.

2. After the deadline to Amend pleadings, the attorney for Great American located and provided the Association with a policy listing American Alliance Insurance Company (“AAIC”) as the insurer. The policy lists AAIC as a “Great American Insurance Group Company.” The policy number for the AAIC policy is the same as listed in the Association’s Complaint.

3. The parties recognize that AAIC should be substituted for Great American, and request permission to Amend the Complaint only to make this change. The proposed Amended Complaint is attached as Exhibit A. The parties recognize that no change in the case schedule is required as a result of the amendment, and that this is a small administrative error that should be fixed.

DATED: August 18, 2017      By /s/ Daniel Stein  
Justin Sudweeks, WSBA #28755  
Daniel Stein, WSBA #48739  
Stein, Sudweeks & Houser, PLLC  
Attorneys for Plaintiff 2328 Fairview Condominium  
Association

DATED: August 18, 2017      By /s/ Daniel Stein, WSBA #48739 for Michael McCormack via  
Email Authorization Received 08/18/17  
Michael McCormack  
BULLIVANT HOUSER BAILEY PC  
Attorneys for Defendant Great American Insurance Company,  
American Economy Insurance Company, American Fire and  
Casualty Company, Liberty Mutual Insurance Company

1 DATED: August 18, 2017 By /s/ Daniel Stein, WSBA #48739 for Lisa Neal via Email  
2 Authorization Received 08/18/17  
3 Lisa Neal WSBA # 25686  
4 Wilson Smith Cochran & Dickerson  
5 Attorney for Defendant Continental Western Insurance  
6 Company

7 **II. ORDER**

8 Based on the foregoing Stipulation, it is hereby ORDERED:

- 9 1) The Association's Motion to Amend Complaint is GRANTED.  
10 DONE IN OPEN COURT this 21 day of August, 2017.

11 

12 RICARDO S. MARTINEZ  
13 CHIEF UNITED STATES DISTRICT JUDGE

14 Presented:

15 By /s/ Daniel Stein  
16 Justin Sudweeks, WSBA #28755  
17 Daniel Houser, WSBA #32327  
18 Daniel Stein, WSBA #48739  
19 Stein, Sudweeks & Houser, PLLC  
20 Attorneys for Plaintiff 2328 Fairview Condominium Association

21 By /s/ Daniel Stein, WSBA #48739 for Michael McCormack  
22 via Email Authorization Received 08/18/17  
23 Michael McCormack, WSBA #15006  
24 BULLIVANT HOUSER BAILEY PC  
25 Attorneys for Defendant Great American Insurance Company,  
26 American Economy Insurance Company, American Fire and  
Casualty Company, Liberty Mutual Insurance Company

By /s/ Daniel Stein, WSBA #48739 for Lisa Neal via Email  
Authorization Received 08/18/17  
Lisa Neal WSBA # 25686  
Wilson Smith Cochran & Dickerson  
Attorney for Defendant Continental Western Insurance Company

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