

Nos. 2008-0304 & 2008-0403

In the Ohio Supreme Court

◆

SAFECO INSURANCE COMPANY OF AMERICA,

Plaintiff-Appellant,

v.

FEDERAL INSURANCE COMPANY, et al.,

Defendants-Appellees.

◆

CLAIMED APPEAL OF RIGHT AND DISCRETIONARY APPEAL FROM THE FIRST APPELLATE DISTRICT,
HAMILTON COUNTY, APP. No C-070074

◆

FILED UNDER SEAL PURSUANT TO COURT ORDER

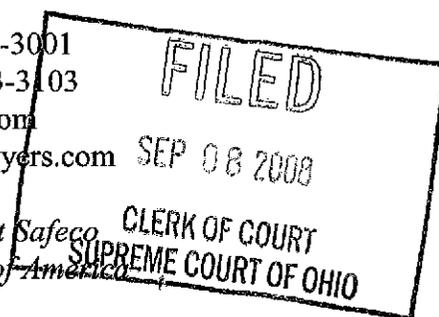
STIPULATION TO EXTENSION OF TIME TO FILE MERIT BRIEF OF APPELLEES FEDERAL INSURANCE COMPANY AND PACIFIC INDEMNITY COMPANY

Jay Clinton Rice (0000349)
(*Counsel of Record*)
Richard C.O. Rezie (0071321)
GALLAGHER SHARP
Bulkley Building, Sixth Floor
1501 Euclid Avenue
Cleveland, Ohio 44115-2108
Telephone: (216) 241-5310
Facsimile: (216) 241-1608
jrice@gallaghersharp.com
rrezie@gallaghersharp.com

*Counsel for Appellees Federal Insurance
Company and Pacific Indemnity Company*

P. Christian Nordstrom (0065439)
(*Counsel of Record*)
Scott G. Oxley (0039285)
JENKS, PYPER & OXLEY Co., L.P.A.
901 Courthouse Plaza SW
10 N. Ludlow Street
Dayton, Ohio 45402
Telephone: (937) 223-3001
Facsimile: (937) 223-3103
soxley@jpolawyers.com
pcnordstrom@jpolawyers.com

*Counsel for Appellant Safeco
Insurance Company of America*



**STIPULATION TO EXTENSION OF TIME TO FILE MERIT BRIEF OF APPELLEES
FEDERAL INSURANCE COMPANY AND PACIFIC INDEMNITY COMPANY**

We, the attorneys for the respective parties in the above captioned appeal, do hereby stipulate pursuant to S. Ct. Prac. R. XIV, Section 3(B)(2)(a), that Appellees, Federal Insurance Company and Pacific Indemnity Company, be granted a twenty (20) day extension of time to file their Merit Brief, currently due on October 2, 2008, to October 22, 2008.

No previous extensions of time to file Appellees' Merit Brief have been requested.

Respectfully submitted,



Jay Clinton Rice (0000349)

(Counsel of Record)

Richard C.O. Rezie (0071321)

GALLAGHER SHARP

Bulkley Building, Sixth Floor

1501 Euclid Avenue

Cleveland, Ohio 44115-2108

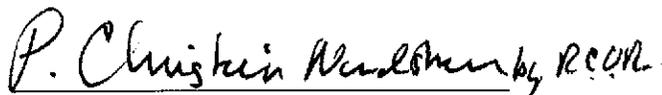
Telephone: (216) 241-5310

Facsimile: (216) 241-1608

jrice@gallaghersharp.com

rrezie@gallaghersharp.com

*Counsel for Appellees Federal Insurance Company
and Pacific Indemnity Company*



P. Christian Nordstrom (0065439)

(Counsel of Record)

(by Richard C.O. Rezie per approval give on
September 4, 2008)

Scott G. Oxley (0039285)

JENKS, PYPER & OXLEY CO., L.P.A.

901 Courthouse Plaza SW

10 N. Ludlow Street

Dayton, Ohio 45402

Telephone: (937) 223-3001
Facsimile: (937) 223-3103
soxley@jpolawyers.com
pcnordstrom@jpolawyers.com

*Counsel for Appellant Safeco
Insurance Company of America*

CERTIFICATE OF SERVICE

A copy of the foregoing Stipulation to Extension of Time to File Merit Briefs of Appellees Federal Insurance Company and Pacific Indemnity Company was mailed by regular U.S. mail, postage pre-paid, this 4th day of September, 2008, to:

P. Christian Nordstrom, Esq.
Scott G. Oxley, Esq.
Jenks, Pyper & Oxley Co., L.P.A.
901 Courthouse Plaza SW
10 N. Ludlow Street
Dayton, Ohio 45402
**Attorneys for Plaintiff-Appellant
Safeco Insurance Company of America**

Stanley M. Chesley, Esq.
Paul M. DeMarco, Esq.
Louise M. Roselle, Esq.
Waite, Schneider, Bayless & Chesley Co.,
L.P.A.

1513 Fourth & Vine Tower
Cincinnati, Ohio 45202
and

Michael R. Barrett, Esq.
Barrett & Weber
500 Fourth & Walnut Centre
105 E. Fourth Street
Cincinnati, Ohio 45202
**Attorneys for Defendants Casey, Steven
and Megan Hilmer**

Michael D. Eagen, Esq.
Dinsmore & Shohl LLP
225 East Fifth St. Suite 1900
Cincinnati, Ohio 45202
and

Stephen A. Bailey, Esq.
Martin & Bailey
120 E. Fourth St., Suite 420
Cincinnati, OH 45202
and

Robert A. Pitcairn, Esq.
Cynthia L. Gibson, Esq.
Laura A. Hinegardner, Esq.
255 East Fifth St., Suite 2400
Cincinnati, OH 45202

**Attorneys for Defendants Lance and
Diane White**

James E. Burke, Esq.
James Mathews, Esq.
1400 Provident Tower
One East Fourth St.
Cincinnati, OH 45202

Attorney for Defendant Benjamin White



Jay Clinton Rice (0000349)
(Counsel of Record)
Richard C.O. Rezie (0071321)

**Attorneys for Appellees Federal Insurance
Company and Pacific Indemnity Company**