

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

**LILLIAN C. ETTER, individually
and as Co-Trustee of the
McClughan Living Trust Dated
June 29, 2001,**

Plaintiff,

v.

**CIVIL ACTION NO. 3:06-CV-139
(BAILEY)**

**RANDY B. MAZZOTTI, individually
and as Co-Trustee of the
McClughan Living Trust Dated
June 29, 2001, JULIE MAZZOTTI,
and LACY J. MAZZOTTI,**

Defendants.

**AGREED ORDER ALLOWING PLAINTIFF
ADDITIONAL TIME TO RESPOND TO
DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT**

ON A PREVIOUS DAY came the Plaintiff, LILLIAN C. ETTER, individually, and as Co-Trustee of the McClughan Living Trust dated June 29, 2001, by counsel, and the Defendants, RANDY B. MAZZOTTI, individually, and as Co-Trustee of the McClughan Living Trust dated June 29, 2001, JULIE MAZZOTTI, and LACY J. MAZZOTTI, by counsel, and advised the Court that the Defendants filed a Motion for Partial Summary Judgment on January 3, 2008; that the Plaintiff's response is due on January 17, 2008 under L. R. Civ. P. 7.02(b); that the Plaintiff has requested a five (5) day extension of her response time to January 22, 2008; and that the Defendants have agreed to the proposed extension.

WHEREUPON the Plaintiff and the Defendants jointly moved the Court to extend the Plaintiff's deadline for responding to the Defendants' Motion for Partial Summary

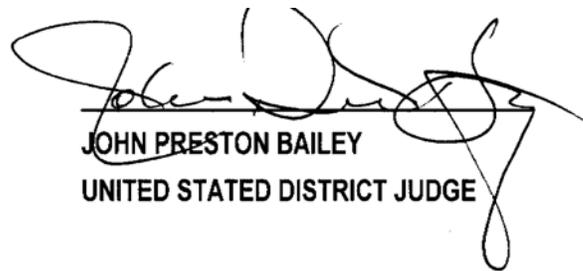
Judgment from January 17, 2008, to January 22, 2008.

UPON MATURE CONSIDERATION of the parties' joint motion, and it appearing otherwise proper, it is accordingly **ORDERED** that the parties' joint motion shall be, and hereby is, GRANTED. The Plaintiff's deadline for responding to the Defendants' Motion for Partial Summary Judgment shall be, and hereby is, **EXTENDED** from January 17, 2008, to January 22, 2008. The Clerk of the Court shall enter this Order as of the date set forth below and transmit copies of this order to all counsel of record.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to counsel of record herein.

DATED: January 17, 2008.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE