

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF WEST VIRGINIA  
AT MARTINSBURG

LILLIAN C. ETTER, individually,  
and as Co-Trustee of the McCLUGHAN  
LIVING TRUST DATED JUNE 29, 2001,

Plaintiff,

v.

Case No. 3:06-CV-139

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 DEFENDANTS ADDITIONAL TIME TO REPLY TO  
PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION  
FOR PARTIAL SUMMARY JUDGMENT**

ON A PREVIOUS DAY came 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 LILLIAN C. ETTER, individually and as Co-Trustee of the McClughan Living Trust Dated June 29, 2001, by counsel, and advised the Court that the Plaintiff filed a Response to Defendants' Motion for Partial Summary Judgment on January 22, 2008 under L.R. Civ. P. 7.02(b); that the Defendants have requested a five (5) day extension of their response time to January 31, 2008 to February 5, 2008; that the Plaintiff has agreed to the proposed extension; and that the Defendants' Reply to Plaintiff's Response to Defendants' Motion for Partial Summary Judgment will be due on February 5, 2008.

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

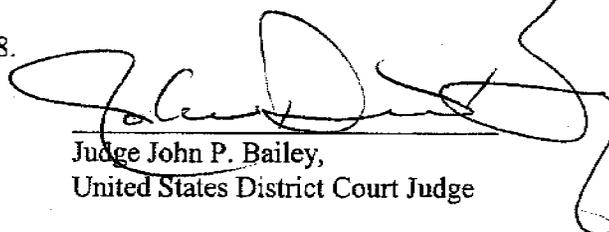
Summary Judgment from January 31, 2008, to February 5, 2008.

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 Defendants' deadline for replying to Plaintiff's Response to Defendants' Motion for Partial Summary Judgment shall be, and hereby is, **EXTENDED** from January 31, 2008, to February 5, 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 30, 2008.



Judge John P. Bailey,  
United States District Court Judge