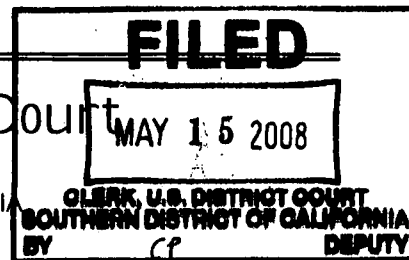


AO 441 (Rev. 5/85) Third Party Summons in a Civil Action

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA



PLAINTIFF

PALOMAR GRADING (See Attached List)

V. DEFENDANT AND THIRD PARTY PLAINTIFF

WESTERN INSURANCE COMPANY and CORNERSTONE BUILDING ROUP

THIRD PARTY SUMMONS IN A CIVIL ACTON

CASE NUMBER 08 CV 521 JAH WHc

V. THIRD PARTY DEFENDANT

MICHAEL NAJERA, (See Attached List)

To: (Name and address of Third Party Defendant)

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

STUART D. HIRSCH, ESQ. (SBN 142641) 2150 N. Centre City Parkway Escondido, CA 92026

DEFENDANT AND THIRD-PARTY PLAINTIFF'S ATTORNEY (NAME AND ADDRESS)

SCOTT L. STONEHOCKER, ESQ. (SBN 171216) 1540 W. Warm Springs Rd. #100 Henderson, NV 89014

an answer to the third-party complaint which is herewith served upon you within 20 days after the service of the summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering to the plaintiff's complaint, unless (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, and (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil Procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the third party plaintiff.

W. SAMUEL HAMRICK, JR.

CLERK

C. BUTTMANN

(BY) DEPUTY CLERK

5/15/08

DATE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

PLAINTIFF (Continued...)

& PAVING, INC., a California corporation,
and the UNITED STATES AMERICA For
The Use And Benefit Of PALOMAR GRADING
AND PAVING, INC.,

THIRD PARTY SUMMONS
IN A CIVIL ACTION

CASE NUMBER 08 CV 521 JAH WHc

V. DEFENDANT AND THIRD PARTY PLAINTIFF

WESTERN INSURANCE COMPANY

V. THIRD PARTY DEFENDANT (Continued...)

an individual; BETTY NAJERA, an individual;
RICHARD OSGOOD, an individual; MARIE
OSGOOD, an individual; CBG BUILDERS a.k.a.
CBG HOME BUILDERS, INC.; a California corporation;
ELLIOT-CORNERSTONE; a California corporation;
BARNHART-CORNERSTONE; a California corporation;
DOES 1-10; and ROE CORPORATIONS 1-10, inclusive,