

**FILED**

DISTRICT COURT OF GUAM

AUG 11 2006 *mbc*

MARY L.M. MORAN  
CLERK OF COURT

**CIVILLE & TANG, PLLC**  
330 HERNAN CORTEZ AVENUE, SUITE 200  
HAGÁTÑA, GUAM 96910  
TELEPHONE: (671) 472-8868/69  
FACSIMILE: (671) 477-2511

*Attorneys for Defendant  
Pacific Indemnity Insurance Company*

**IN THE UNITED STATES DISTRICT COURT OF GUAM**

NATIONAL UNION FIRE INSURANCE )  
COMPANY of PITTSBURGH, PA. )

Plaintiff, )

vs. )

JOHN D. QUERRY, AMBYTH SHIPPING )  
and TRADING, INC. dba AMBYTH )  
TRUCKING and PACIFIC INSURANCE )  
COMPANY )

Defendants. )

CIVIL CASE NO. 06-00017

**AGREEMENT OF HEARING DATE  
ON DEFENDANTS' MOTION TO  
DISMISS**

Pursuant to Local Rule 7.1, the parties hereby acknowledge the following:

1. I, G. Patrick Civile, am the attorney for Defendant Pacific Indemnity Insurance Company in the above-captioned matter.

2. On August 11, 2006, I spoke by telephone with Michael Flynn, counsel for Plaintiff National Union Fire Insurance Company of Pittsburgh, PA, with David Ledger, counsel for Ambyth Shipping and Trading and with F. Randall Cunliffe, counsel for John D. Querry, regarding an agreement for a date for oral argument on the Pacific Indemnity Insurance Company's Motion

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to Dismiss. I also contacted one of the Court's law clerks to ascertain what date would be available on the Court's calender.

3. The counsel I spoke with all indicated that they wanted oral argument on this motion.

4. I advised the other counsel of my understanding that the first available hearing date would probably be the week of September 18. All counsel agreed that the hearing be held the week of September 18, subject to the convenience of the Court.

DATED this 11th day of August, 2006.

**CIVILLE & TANG, PLLC**

By:   
**G. PATRICK CIVILLE**  
*Attorneys for Defendant*  
*Pacific Indemnity Insurance Company*