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FILED

DISTRICT COURT OF GUAM

JUL 17 2006

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MARY L.M. MORAN
CLERK OF COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY 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

**CERTIFICATE OF COUNSEL IN
SUPPORT OF EX PARTE
APPLICATION TO SHORTEN
TIME AND MOTION FOR
EXTENSION**

I, Patrick Civile, hereby certify that:

1. I am counsel in the above action for Pacific Indemnity Insurance Company ("PacIndem")

2. Approximately ten days ago I asked plaintiff's counsel, Michael Flynn, for an extension of time for PacIndem to respond to the Complaint. I asked that PacIndem be given until August 11, 2006, which was the same extension that National Union had agreed to for defendant Ambyth. Mr. Flynn responded that he would discuss the matter with his client.

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3. Approximately one week ago I received a response from Mr. Flynn denying PacIndem's request for an extension.

4. I did not raise this matter with the Court last week because I was aware that there was no Judge or Magistrate Judge available on island last week.

5. I have spoken to David Ledger, who represents Ambyth and who obtained an extension on Ambyth's behalf, and he supports the extension PacIndem is seeking.

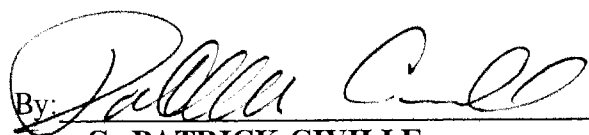
6. Earlier today, July 17, I again spoke to Mr. Flynn. I confirmed that National Union had denied PacIndem's request for an extension of time. I also asked him if he would give defendant Query the same extension he had given to Ambyth. Mr. Flynn was unable to give a response.

7. In today's conversation I informed Mr. Flynn that I would be filing an ex parte motion for an extension and an application for an order shortening time, and I told him that I would seek an extension of time until August 11, 2006 for both PacIndem and Mr. Query, although I would not be entering an appearance for Mr. Query.

8. Mr. Flynn said he would oppose our motion to shorten time as well as our motion for an extension of time to respond to the complaint.

I so certify this 17th day of July, 2006.

CIVILLE & TANG, PLLC

By: 

G. PATRICK CIVILLE
Attorneys for Defendant
Pacific Indemnity Insurance Company