

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-CV-00413-REB-MEH

RUDY THOMAS,  
Plaintiff,

v.

AUTO-OWNERS INSURANCE COMPANY and  
BRISTOL WEST INSURANCE COMPANY,  
Defendants.

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**STIPULATION AUTHORIZING ELECTRONIC SERVICE**

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The parties, by and through their respective counsel request entry of an Order authorizing electronic service in this matter as follows:

1. The parties have investigated the electronic services offered by LexisNexis; and
2. The parties have found that the proposal from LexisNexis to serve as the e-serve agent in this proceeding would facilitate proper and efficient service; and
3. Each party, through the undersigned counsel, has received information on how to electronically serve documents and will enter into their own agreements with LexisNexis.

The parties, therefore, stipulate to the following:

4. As of the date hereof, all attorneys who have appeared on behalf of their respective parties (“counsel of record”) in this case shall use LexisNexis File & Serve (“File & Serve”) to serve any and all discovery-related documents requiring service on counsel of record. Each attorney may also use File & Serve to serve correspondence.

5. File & Serve shall be the only method of service considered as valid and effective

on all designated recipients.

6. Every pleading, document and instrument served electronically shall bear a facsimile or typographical signature of at least one of the attorneys of record, along with the typed name, address, telephone number and Bar of Colorado number of such attorney. Typographical signatures shall be treated exactly as personal signatures for purposes of electronically served documents under the Local Rules of Practice for the United States District Court for Colorado and the Electronic Case Filing Procedures for the District of Colorado (Civil Cases).

7. To address any training or technical questions that may arise during the course of this litigation, File & Serve will have available to counsel of record and the Court a 24-hour 7-days a week Customer Support resource at (888) 529-7587. In addition, each attorney has received the *LexisNexis File & Serve Welcome Kit* which sets forth the procedure for registration with and service through File & Serve.

8. Within five (5) days of this Order, each attorney of record for this litigation, or within five (5) days of the entry of appearance for a new attorney of record, shall register for electronic service in this litigation by completing the registration located at the following website: <http://www.lexisnexis.com/fileandserve> and shall notify plaintiff's or liaison counsel that they will need to be added to the service list.

9. Lambdin & Chaney, LLP shall be liaison counsel to LexisNexis for all service list changes. The service list will identify one counsel of record for each firm, along with parties they represent, who are to receive service of documents in the case utilizing File & Serve. Once a firm is registered on File & Serve, each firm will be provided functionality on File & Serve to

designate a firm administrator to control the addition and deletion of registered users on File & Serve for their firm.

10. This Stipulation and subsequent Order shall apply only to the electronic service of documents upon counsel of record. Counsel or parties filing original documents with the Court shall do so with the Clerk of the Court following existing filing procedures pursuant to the Federal Rules of Civil Procedure, the Local Rules of Practice for the United States District Court for Colorado and the Electronic Case Filing Procedures for the District of Colorado (Civil Cases).

Dated this 24<sup>th</sup> day of August, 2011.

BENDINELLI LAW OFFICE, P.C.

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