

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT
Civil Action No. 05-1360-BLS2
(Judge Gants)

MARCIA RHODES, HAROLD RHODES, INDIVIDUALLY,)
HAROLD RHODES, ON BEHALF OF HIS MINOR CHILD)
AND NEXT FRIEND, REBECCA RHODES,)
)
Plaintiffs,)
v.)
)
AIG DOMESTIC CLAIMS, INC. f/k/a AIG TECHNICAL)
SERVICES, INC., NATIONAL UNION FIRE INSURANCE)
COMPANY OF PITTSBURGH, PA, and ZURICH AMERICAN)
INSURANCE COMPANY)
)
Defendants.)

**PLAINTIFFS' MOTION FOR CLARIFICATION REGARDING THIS COURT'S
FEBRUARY 2, 2006 ORDER ON DISCOVERY SCHEDULE**

On February 2, 2006, the parties in this case participated in a conference call with the Court, after which the Court issued the *February 2, 2006 Order on Discovery Schedule* (the "Order"). The Order provides that "the discovery deadlines remain set for close of business on July 24, 2006, in view of this postponement, this Court will extend it to September 8, 2006 if counsel so requests." Plaintiffs seek to clarify that the Court intended this portion of the Order to mean that the Court will only extend the discovery deadline to September 8, 2006 if the Plaintiffs request it on account of the delays that have occurred because of the discovery disputes to date.

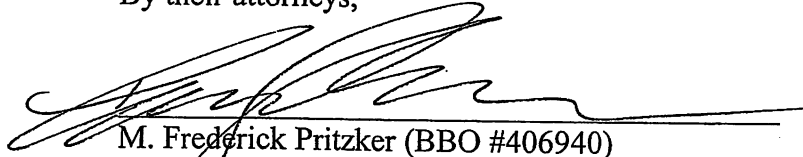
Plaintiffs assign their interpretation to the Order because during the conference call Plaintiff's attempted to make it clear, and believe that the Court acknowledged, that they wish to go forward and conclude this matter as quickly as possible. Furthermore, given the delay to which the Plaintiffs have already been subjected, they would object to allowing the Defendants the unfettered right to extend discovery.

WHEREFORE, Plaintiffs request clarification of the *Court's Order on Discovery Schedule* to clarify that this Court intended the Order to mean that the discovery deadline will be extended to September 8, 2006 should the Plaintiffs' make such a request. Plaintiffs recognize that the Defendants retain the ability to seek an extension in the future, over Plaintiffs' objection.

Respectfully submitted,

MARCIA RHODES, HAROLD RHODES,
INDIVIDUALLY, HAROLD RHODES,
ON BEHALF OF HIS MINOR CHILD
AND NEXT FRIEND, REBECCA RHODES,

By their attorneys,



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DATED: February 13, 2006

CERTIFICATE OF SERVICE

I hereby certify that on this day, a true and accurate copy of the above document was served via first class mail on the attorney of record for each party at:

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