

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
FOURTH DIVISION

Capella University, Inc.,

Court File No.: 06-607 JMR/FLN

Plaintiff

vs.

Executive Risk Specialty Insurance Company,

Defendant

**PLAINTIFF CAPELLA UNIVERSITY, INC.'S
MOTION FOR LEAVE TO AMEND ITS COMPLAINT**

TO: All Counsel of Record.

PLEASE TAKE NOTICE that Plaintiff Capella University, Inc. ("Capella") hereby moves the Court for an order granting Capella leave to serve and file its Amended Complaint pursuant to Rule 15(a) of the Federal Rules of Civil Procedure

Said Motion will be based on the Memorandum served herewith, and on the files, records and proceedings herein.

Dated: July 31, 2006

FOLEY & MANSFIELD, P.L.L.P.

By: s/ **Gerald H. Bren**

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