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18 Attorneys for Plaintiffs-Appellees

19 IN THE UNITED STATES COURT OF APPEALS  
20 FOR THE NINTH CIRCUIT

21 CELEDONIA X. YUE, M.D., on behalf  
22 of the class of all others similarly  
23 situated, and on behalf of the General  
24 Public,

25 Plaintiffs-Appellees,  
26 vs.

27 CONSECO LIFE INSURANCE  
28 COMPANY, successor to Philadelphia  
Life Insurance Company and formerly  
known as Massachusetts General Life  
Insurance Company,

Defendant-Appellant

Docket No. 09-80191

**UNOPPOSED MOTION FOR  
EXTENSION OF TIME**

Plaintiff-Appellee Caledonia Yue, M.D., on behalf of herself and the policyholder classes she represents, respectfully requests an extension of 14 days to respond to the "Petition for Permission to Appeal pursuant to Fed. R. Civ. P. 23(f)" filed by Defendant-Appellant Conseco Life Insurance Company

1 (“Conseco”). In support of their request, Plaintiffs state as follows:

2 1. Conseco filed its Petition shortly before Christmas, on December 22,  
3 2009. Plaintiffs’ response is currently due January 7, 2010.

4 2. Plaintiffs have not sought any previous extensions of this deadline and  
5 will not seek any other extensions.

6 3. The parties have agreed, in light of Plaintiffs’ counsels’ schedule over  
7 the holidays, that Plaintiffs may have an additional 14 days to respond to  
8 Conseco’s Petition. If approved by the Court, Plaintiffs’ response would be due on  
9 January 21, 2010.

10 Plaintiffs accordingly request that the Court extend the deadline for their  
11 response to Conseco’s Petition for Permission to Appeal to January 21, 2010.

12 Dated: December 31, 2009

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14 BONNETT, FAIRBOURN, FRIEDMAN &  
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17 By: /s/Andrew S. Friedman  
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