



Office of the Clerk  
**United States Court of Appeals for the Ninth Circuit**  
Post Office Box 193939  
San Francisco, California 94119-3939  
415-355-8000

Molly C. Dwyer  
Clerk of Court

March 04, 2011

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No.: 11-55359  
D.C. No.: 2:08-cv-01506-AHM-SH  
Short Title: Celedonia Yue v. Conseco Life Insurance Company

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Dear Appellants/Counsel

A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case.

Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

**The due dates for filing the parties' briefs and otherwise perfecting the appeal have been set by the enclosed "Time Schedule Order," pursuant to applicable FRAP rules. These dates can be extended only by court order. Failure of the appellant to comply with the time schedule order will result in automatic dismissal of the appeal. 9th Cir. R. 42-1.**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

MAR 04 2011

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

CELEDONIA X. YUE, M.D., on behalf  
of the class of others similarly situated  
and on behalf of the General Public,

Plaintiff - Appellee,

v.

CONSECO LIFE INSURANCE  
COMPANY, Successor: Philadelphia  
Life Insurance Company, FKA  
Massachusetts General Life Insurance  
Company,

Defendant - Appellant.

No. 11-55275

D.C. No. 2:08-cv-01506-AHM-SH  
U.S. District Court for Central  
California, Los Angeles

**TIME SCHEDULE ORDER**

CELEDONIA X. YUE, M.D., on behalf  
of the class of others similarly situated  
and on behalf of the General Public,

Plaintiff – Cross/Appellant,

v.

CONSECO LIFE INSURANCE  
COMPANY, Successor: Philadelphia  
Life Insurance Company, FKA

No. 11-55359

D.C. No. 2:08-cv-01506-AHM-SH  
U.S. District Court for Central  
California, Los Angeles

Massachusetts General Life Insurance  
Company,

Defendant – Cross/Appellee.

This order vacates all brief due dates set by previously issued time schedule orders. The parties shall meet the following cross appeal time schedule.

- Fri., March 11, 2011** Mediation Questionnaire due. If your registration for Appellate ECF is confirmed after this date, the Mediation Questionnaire is due within one day of receiving the email from PACER confirming your registration.
- Mon., August 1, 2011** The party(s) who filed the first appeal shall file and serve the first brief on cross-appeal pursuant to FRAP 32 and 9th Cir. R. 32-1.
- Wed., August 31, 2011** The party(s) who filed the second appeal shall file and serve the second brief on cross-appeal pursuant to FRAP 32 and 9th Cir. R. 32-1.
- Fri., September 30, 2011** The third brief on cross-appeal shall be filed and served pursuant to FRAP 32 and 9th Cir. R. 32-1.

**The optional cross appeal reply brief shall be filed and served within fourteen days of service of the third brief on cross appeal, pursuant to FRAP 32 and 9th Cir. R. 32-1.**

**Failure of the appellants to comply with the Time Schedule Order will result in automatic dismissal of the appeal. See 9th Cir. R. 42-1.**

FOR THE COURT:

Molly C. Dwyer  
Clerk of Court

Blanca Gurule  
Deputy Clerk

