

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

SEP 14 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. 11-56579

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

**AMENDED  
TIME SCHEDULE ORDER**

The parties shall meet the following time schedule.

If there were reported hearings, the parties shall designate and, if necessary, cross-designate the transcripts pursuant to 9th Cir. R. 10-3.1. If there were no reported hearings, the transcript deadlines do not apply.

**Wed., September 21, 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.

**Fri., October 14, 2011** Transcript shall be ordered.

**Thu., January 12, 2012** Transcript shall be filed by court reporter.

**Tue., February 21, 2012** Appellant's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1.

**Thu., March 22, 2012** Appellee's answering brief and excerpts of record shall be served and filed pursuant to FRAP 32 and 9th Cir. R. 32-1.

**The optional appellant's reply brief shall be filed and served within fourteen days of service of the appellee's brief, pursuant to FRAP 32 and 9th Cir. R. 32-1.**

**Failure of the appellant 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