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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

REVERAND ALBERTA
TETZLAFF,

Plaintiff,

vs.

METROPOLITAN LIFE
INSURANCE COMPANY,

Defendant.

Case No: 1:11-CV-00722-AWI-JLT
[TELEPHONIC APPEARANCE
REQUESTED]

**STIPULATION TO ADVANCE
MANDATORY SCHEDULING
CONFERENCE; AND
(PROPOSED) ORDER**

**Current Hearing Date: October 27, 2011
Proposed Hearing Date: October 26, 2011
Time: 9:00 a.m.**

Place: Bakersfield Federal Court

Date Action Filed: March 8, 2011

TO THE HONORABLE COURT AND TO ALL PARTIES HEREIN AND
THEIR ATTORNEYS OF RECORD:

Plaintiff REVERAND ALBERTA TETZLAFF (hereinafter “Plaintiff” or “Reverand Tetzlaff”) and Defendant METROPOLITAN LIFE INSURANCE COMPANY (hereinafter “Defendant” or “MetLife”), by and through their respective counsel of record, hereby stipulate and respectfully request that the Scheduling Conference currently scheduled for October 27, 2011, in this matter be advanced one (1) day. Counsel for Plaintiff is not available on that date due to a previously scheduled pre-paid mediation set in Northern California in another federal court case. The parties are agreeable that this matter may be advanced one day to the mutually convenient date of October 26, 2011.

If the Court approves the parties’ Stipulation and Request for Advance, the parties propose the following date (or a date thereafter as may be convenient to the Court):

- Scheduling Conference Date October 26, 2011; 9:00 a.m.

Good cause exists to grant the parties’ request for advance based on the following grounds:

1. The above captioned action was filed in the Superior Court of the State of California, for the County of Bakersfield, on March 8, 2011 and served on April 6, 2011. The case involves disputes regarding benefits under a disability policy.
2. On May 5, 2011, Defendant removed this action to the United States District Court, Eastern District of California.
3. In it’s May 5, 2011, Order Setting Scheduling Conference the Court set the Mandatory Scheduling Conference date for October 27, 2011.
4. On June 28, 2011, Defendant filed an answer to Plaintiff’s complaint.
5. In it’s September 14, 2011, Order of Reassignment the Court

reassigned the case to Magistrate Judge Thurston due to the impending retirement of Judge Oliver Wanger and vacated all scheduled hearing dates.

6. On September 15, 2011, counsel for Plaintiff filed a decline of jurisdiction of United Magistrate Judge.

7. In it's September 16, 2011, Notice the Court reassigned this matter to the Honorable Andrew W. Ishii.

8. In it's September 19, 2011, Order the Court reset the Mandatory Scheduling Conference for October 27, 2011, at 9:00 a.m.

9. Counsel for Plaintiff is not available on October 27, 2011 due to a previously scheduled pre-paid mediation set in Northern California in another federal court case. The parties are agreeable that this matter may be advanced one day to the mutually convenient date of October 26, 2011, at 9:00 a.m.

For all the stated reasons above, IT IS HEREBY STIPULATED AND AGREED by and between the parties and their respective counsel of record, and it is respectfully requested that the Court permit and enter an Order to advance the

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Scheduling Conference currently set for October 27, 2011 one day to the date set forth herein.

Dated: October 7, 2011

DARRASLAW

/s/ Frank N. Darras

FRANK N. DARRAS

LISSA A. MARTINEZ

SUSAN B. GRABARSKY

Attorneys for Plaintiff

REVERAND ALBERTA TETZLAFF

Dated: October 7, 2011

BARGER & WOLEN LLP

/s/ Royal F. Oakes

as authorized on 10/7/2011

ROYAL F. OAKES

MICHAEL A.S. NEWMAN

JAMES C. CASTLE

Attorneys for Defendant

METROPOLITAN LIFE

INSURANCE COMPANY

ORDER

IT IS SO ORDERED. The Mandatory Scheduling Conference is being advanced from October 27, 2011, to October 26, 2011, at 9:00 a.m.

IT IS SO ORDERED.

Dated: **October 7, 2011**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE