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9
10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**

12 BERKSHIRE LIFE INSURANCE
13 COMPANY OF AMERICA,

14 Plaintiff,

15 v.

16 ANTONIO MONTALVO

17 Defendant.

18 Case No. 1:16-cv-00006-SAB

19 **STIPULATION TO CONTINUE**
20 **SCHEDULING CONFERENCE**

21 AND RELATED COUNTERCLAIM

22 **RECITALS**

23 WHEREAS, the undersigned are counsel for the parties hereto;

24 WHEREAS, the Court has scheduled a Scheduling Conference for April 4, 2016, at
25 10:00 a.m. in Courtroom 9;

26 WHEREAS, Berkshire Life Insurance Company of America (“Berkshire”) must file a
27 responsive pleading to Antonio Montalvo’s counter-claim on or before April 18, 2016;

28 WHEREAS, for the convenience of the Court and to conserve resources, including
preparation of the Joint Report, the parties wish to postpone the Scheduling Conference to a date at
least 30 days after Berkshire’s responsive pleading to the counterclaim is due; and

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1 WHEREAS, the parties request that the Scheduling Conference be continued to May
2 23, 2016, at 10:00 a.m. in Courtroom 9, or as soon thereafter as is convenient for the Court.

3 **STIPULATION**

4 The parties agree and stipulate as follows:

5 1. The Scheduling Conference in this matter shall be continued from April 4,
6 2016, at 10:00 a.m. in Courtroom 9 to May 23, 2016, at 9:00 a.m. in Courtroom 9, or as soon
7 thereafter as is convenient for the Court; and

8 2. No less than fourteen (14) days prior to the continued Scheduling Conference,
9 the parties will submit to the Court a Joint Scheduling Conference Report as required by the Court.

10 IT IS SO STIPULATED.

11
12 Dated: March 22, 2016

WANGER JONES HELSLEY PC

13
14 By: /s/ Scott D. Laird

15 Scott D. Laird

Jena M. Harlos

16 Attorneys for Defendant and Counter-
Claimant Antonio Montalvo

17
18 Dated: March 22, 2016

MESERVE, MUMPER & HUGHES LLP

19
20 By: /s/ Allison Vana

21 Linda M. Lawson

Allison Vana

22 Attorneys for Plaintiff and Counter-
23 Defendant Berkshire Life Insurance
Company of America

24 **Filer's Attestation – Local Rule 131(e)**

25 The filing attorney attests that he has obtained concurrence regarding the filing of this document and
26 its content from the signatories to this document.

ORDER

Based on the parties' Stipulation and good cause appearing, the Scheduling Conference presently set for April 4, 2016, at 10:00 a.m. in Courtroom 9 shall be and hereby is continued to May 23, 2016, at 9:00 a.m. in Courtroom 9.

IT IS SO ORDERED.

Dated: March 22, 2016



UNITED STATES MAGISTRATE JUDGE