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2			
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7	OF NORTH AMERICA		
8			
9	UNITED STATES DISTRICT COURT		
10	EASTERN DISTRICT OF CALIFORNIA		
11			
12	RICHARD HAWLEY,	) Case No.: 2:08-CV-00079-FCD-KJM	
13	Plaintiff,	) THIRD STIPULATION AND ORDER ) RE: SCHEDULING OF THIS MATTER	
14	v.	)	
15	LIFE INSURANCE COMPANY OF NORTH AMERICA	, ) )	
16	Defendants.	)	
17		)	
18		)	
19			
20	Davidson, and defendant Life Insurance Company of North America, though its counsel of record,		
21	Sean P. Nalty and enter into the following stipulation concerning scheduling of this matter:		
22	This matter is governed by the Employee Retirement Income Security Act of 1974		
23	("ERISA") and is set for a one half day court trial. In light of the trial date in this matter being		
24	moved by the Court from March 27, 2009 to May 15, 2009, the parties wish to modify the briefing		
25	schedule in this matter as follows:		
26	The parties suggest the following briefing so		
27		at the opening brief will be filed on or before	
28	January 23, 2009 and then January 30, 2009. With the new trial date, the parties hereby stipulat		
	1 STIPULATION AND ORDER RE: S	CHEDULING OF THIS MATTER	
	USDC EDCA Case No. 2:08-CV-00079-FCD-KJM		
		Dockets.Justia	

1	that this deadline can be extended to February 13, 2009. Any opposition to the opening briefs wil	
2	be filed on or before March 13, 2009. Any reply briefs will be filed no later than April 3, 2009.	
3	The parties will provide the administrative record to the court with the opening briefs.	
4		
5	IT IS SO STIPULATED.	
6		
7	Date: January 26, 2009 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP	
8		
9	By:/s/ Sean P. Nalty	
10	Sean P. Nalty Attorneys for Defendants	
11	LIFE INSURANCE COMPANY OF NORTH AMERICA	
12	Date: January 26, 2009 THE ERISA LAW GROUP	
13		
14	By:/s/ Thornton Davidson	
15	Thornton Davidson Attorneys for Plaintiff	
16	RICHARD HAWLEY	
17 18	<u>ORDER</u>	
19	Based on the stipulation of the parties as set forth above, and the May 15, 2009 trial date, the	
20	Court hereby orders that opening briefs can be filed on or before the February 13, 2009, oppositions	
21	to the opening briefs will be filed on or before March 13, 2009, and any reply briefs will be filed no	
22	later than April 3, 2009.	
23		
24	IT IS ORDERED.	
25	Dated: January 26, 2009	
26	FRANK C. DAMRELL, JR. UNITED STATES DISTRICT JUDGE	
27		
28		
	2 STIPULATION AND ORDER RE: SCHEDULING OF THIS MATTER	
	USDC EDCA Case No. 2:08-CV-00079-FCD-KJM	