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 26 and SANDRA NELSON

27 **UNITED STATES DISTRICT COURT**  
 28 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

29 RICHARD NELSON and SANDRA NELSON,)

30 Plaintiffs,

31 vs.

32 UNUM LIFE INSURANCE COMPANY OF )  
 33 AMERICA; UNUM GROUP; PROVIDENT )  
 34 LIFE AND ACCIDENT INSURANCE )  
 35 COMPANY; and DOES 1 through 25, )  
 36 inclusive, )

37 Defendants. )  
 38 \_\_\_\_\_ )

CASE NO. 2:10-cv-02222-JAM-KJM

**STIPULATION AND ORDER  
 CONTINUING HEARING DATE  
 AND BRIEFING SCHEDULE RE  
 DEFENDANTS' MOTION FOR  
 SUMMARY JUDGMENT OR  
 PARTIAL SUMMARY JUDGMENT**

Orig. Hrg. Date: June 1, 2011  
 Proposed Hrg. Date: June 15, 2011

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IT IS HEREBY STIPULATED by and between the plaintiffs RICHARD NELSON and SANDRA NELSON and defendants UNUM LIFE INSURANCE COMPANY OF AMERICA; UNUM GROUP; PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY, through their respective counsel of record that the hearing date for defendants' motion for summary judgment or, in the alternative, for partial summary judgment, be continued from June 4, 2011 to **June 15, 2011**. The parties further stipulate that the briefing schedule be adjusted accordingly.

GOOD CAUSE EXISTS for this continuance as the parties have scheduled a mediation on June 4, 2011. The parties wish to defer further legal costs in the hopes that they can settle the issues raised herein at mediation.

RIMAC MARTIN, P.C.

DATED: May 9, 2011 By: /s/ ANNA M. MARTIN  
ANNA M. MARTIN  
Attorneys for Defendants  
UNUM LIFE INSURANCE COMPANY OF AMERICA; UNUM GROUP; PROVIDENT LIFE AND ACCIDENT INSURANCE COMPANY

**DONAHUE & HORROW, LLP**

DATED: May 9, 2011 By: \_\_\_\_\_  
MICHAEL HORROW  
Attorneys for Plaintiffs

IT IS SO ORDERED.

DATED: May 9, 2011 /s/ John A. Mendez  
The Honorable John A. Mendez  
UNITED STATES DISTRICT JUDGE