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13 THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY

14
15 UNITED STATES DISTRICT COURT
16
17 EASTERN DISTRICT OF CALIFORNIA
18

19 DEVRA BOMMARITO, an individual,)
20 Plaintiff and Counterdefendant,)
21 v.)
22 THE NORTHWESTERN MUTUAL LIFE)
23 INSURANCE COMPANY and MARK)
24 MAJEWSKI,)
25 Defendant and Counterclaimant.)
_____)

Case No. 2:15-cv-01187-WBS-DB
**JOINT STIPULATION AND REQUEST
TO CHANGE THE DATE TO FILE THE
REPLY BRIEF RE: DEFENDANT'S
MOTION FOR PARTIAL SUMMARY
JUDGMENT AND THE APPLICATION
OF ERISA; [PROPOSED] ORDER**
Complaint Filed: June 1, 2015
Current Trial Date: July 17, 2018
Judge: Hon. William B. Shubb

1 Plaintiff and Counterdefendant DEVRA BOMMARITO (“Plaintiff”) and Defendant and
2 Counterclaimant THE NORTHWESTERN MUTUAL LIFE INSURANCE COMPANY
3 (“Defendant”), through their undersigned counsel hereby request that the Court modify the briefing
4 schedule for Defendant’s motion for partial summary judgement and the application of ERISA to this
5 matter as follows:

6 Defendant’s motion for the application of ERISA to this matter and for partial summary
7 judgment (“the Motion”) was filed on February 26, 2018. Pursuant to the stipulation of the parties and
8 approval of the Court, a briefing schedule was establish under which Plaintiff’s opposition to the
9 Motion must be filed by May 29, 2018, Defendant’s reply to the oppositon must filed by June 11,
10 2018, and the hearing date on the Motion is July 9, 2018.

11 Counsel for defendant must attend a court mandated settlement conference in Florida on June
12 2, 2018 which was set after the Parties entered into the stipulation discussed above. Counsel for
13 defendant also has a significant brief due in another matter on June 5, 2018. Finally, the associate
14 attorney who worked on this matter, Shivani Nanda, left Ogletree Deakins several months ago and no
15 replacement has been hired as yet. Based on these factors, the Parties through their counsel of record
16 hereby stipulate that the date for filing the rely to Plaintiff’s opposition to the Motion can be extended
17 from June 11, 2018 to June 18, 2018. The Parties respectfully request that the Court approve this
18 extension.

19 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

20 Dated: May 16, 2018

THE GREY LAW FIRM, P.C.

21 By: /s/ Rebecca Grey

22 Rebecca Grey

23 Attorney for Plaintiff and Counterdefendant
24 DEVRA BOMMARITO
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1 Dated: May 16, 2018

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

2
3 By: /s/ Sean P. Nalty

Sean P. Nalty
Attorneys for Defendant and Counterclaimant
THE NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY

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6 **SIGNATURE ATTESTATION**

7 I attest that I have obtained concurrence in the filing of this document from the other signatories.

8 Dated: May 16, 2018

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

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10 By: /s/ Sean P. Nalty

Sean P. Nalty
Attorneys for Defendant and Counterclaimant
THE NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY

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15 Pursuant to the stipulation of the parties, the date for Defendant to file its reply to Plaintiff's
16 opposition to Defendant's motion for partial summary judgment and the application of ERISA is
17 extended from June 11, 2018 to June 18, 2018.

18 IT IS SO ORDERED.

19 Dated: May 18, 2018



20 **WILLIAM B. SHUBB**
21 **UNITED STATES DISTRICT JUDGE**