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16 Attorneys for Plaintiff, NARCISIO CUARESMA, JR.
17 UNITED STATES DISTRICT COURT
18 EASTERN DISTRICT OF CALIFORNIA

20 NARCISIO CUARESMA, JR.,
21 Plaintiff,
22 v.
23 FARMERS GROUP DISABILITY INCOME
24 PLAN, an ERISA Plan, and LIBERTY LIFE
ASSURANCE COMPANY OF BOSTON,
25 Defendants.

Case No. 2:15-cv-02192-JAM-EFB
**STIPULATION AND ORDER TO
CONTINUE HEARING AND BRIEFING
SCHEDULE RE PLAINTIFF'S MOTION
TO STRIKE BILL OF COSTS
[DOCUMENT NO. 34]**

26
27 **WHEREAS**, due to a bench trial in another matter venued before the Central District of
28 California on January 10, 2017, counsel for Defendants FARMERS GROUP DISABILITY

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1 INCOME PLAN and LIBERTY LIFE ASSURANCE COMPANY OF BOSTON (“Defendants”)
2 is unavailable to attend the hearing on Plaintiff NARCISIO CUARESMA, JR.’s Motion to Strike
3 Bill of Costs (Document No. 34), currently set to be heard on January 10, 2017 at 1:30 p.m.;

4 **WHEREAS**, pursuant to the Order of the deputy clerk for the Ninth Circuit Court of
5 Appeals entered on November 23, 2016 (Docket Entry 4), the parties are actively engaged in
6 discussions with a Circuit Mediator to determine whether this case is suitable for mediation, and
7 prefer to devote their resources to exhausting settlement discussions before further litigating
8 Plaintiff’s Motion to Strike Bill of Costs;

9 **IT IS HEREBY STIPULATED** by and between Plaintiff NARCISIO CUARESMA, JR.,
10 and Defendants FARMERS GROUP DISABILITY INCOME PLAN and LIBERTY LIFE
11 ASSURANCE COMPANY OF BOSTON, by and through their respective attorneys of record,
12 that the following hearing and briefing schedule on Plaintiff’s Motion to Strike Bill of Costs be
13 adopted by the Court:

14 January 24, 2017: Last Day to File Defendants’ Opposition to Motion
15 January 31, 2017: Last Day to File Plaintiff’s Reply in Support of Motion
16 February 7, 2017: Hearing on the Motion to Strike Bill of Costs

17 All signatories to this Stipulation, and on whose behalf the filing is submitted, concur in
18 the Stipulation’s content and have authorized its filing.

19 Dated: December 27, 2016 LAW OFFICES OF LAURENCE F. PADWAY

20
21 By: /s/ David J. Linden
22 LAURENCE F. PADWAY
23 DAVID J. LINDEN
24 Attorneys for Plaintiff,
25 NARCISIO CUARESMA, JR.
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Dated: December 27, 2016

ROPERS, MAJESKI, KOHN & BENTLEY

By: /s/ Robert M. Forni, Jr.

PAMELA E. COGAN
ROBERT M. FORNI, JR.
BLAKE J. RUSSUM
Attorneys for Defendants,
FARMERS GROUP DISABILITY
INCOME PLAN, and LIBERTY LIFE
ASSURANCE COMPANY OF BOSTON

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The following briefing and hearing schedule on Plaintiff's Motion to Strike Bill of Costs and is hereby adopted:

January 24, 2017: Last Day to File Defendants' Opposition to Motion

January 31, 2017: Last Day to File Plaintiff's Reply in Support of Motion

February 7, 2017 at 1:30 p.m.: Hearing on the Motion to Strike Bill of Costs

Dated: 12/27/2016

/s/ John A. Mendez

Hon. John A. Mendez
United States District Court Judge