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STANDARD INSURANCE COMPANY

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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 DEDRA ESPINDOLA,
12 Plaintiff,
13 vs.
14 STANDARD INSURANCE COMPANY
and DST SYSTEMS, INC., LONG TERM
15 DISABILITY PLAN,
16 Defendants.
17

Case No. 2:16-cv-01301-JAM-CKD
STIPULATION TO CONTINUE DATES; ORDER THEREON

Judge: Hon. John A. Mendez

18 Plaintiff Dedra Espindola (“Plaintiff”) and Defendant Standard Insurance
19 Company (“Defendant” or “Standard”), currently the only named defendant in the
20 above-entitled action,¹ by and through their respective attorneys of record, enter into
21 this stipulation based on the following facts:

22 On June 13, 2016, Plaintiff filed her Complaint in this lawsuit.

23 On November 21, 2016, the Court issued a Minute Order (“November 21
24 Order”) (ECF Doc. No. 18), which indicated that the Court determined “this ERISA
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26 ¹ Defendant DST Systems, Inc., Long Term Disability Plan was dismissed
27 without prejudice. *See* Order re Stipulation to Dismiss DST Systems, Inc., Long
28 Term Disability Plan, dated 08/10/16. (ECF Doc. No. 14.)

1 matter should proceed on cross motions for summary judgment,” and which set forth
2 a schedule of pretrial and trial dates, including the following:

- 3 1. Plaintiff’s motion for summary judgment: filed on or before May 12,
4 2017;
- 5 2. Standard’s opposition and cross-motion: filed on or before June 2, 2017;
- 6 3. Plaintiff’s reply and opposition: filed on or before June 23, 2017;
- 7 4. Standard’s reply: filed on or before July 7, 2017;
- 8 5. Hearing on cross-motions: July 25, 2017 at 1:30 p.m.

9 On February 1, 2017, the parties participated in a mediation session before
10 Keith M. Parker, Esq., ADR Services, Inc.

11 The parties are continuing to actively explore settlement possibilities, and wish
12 to fully exhaust those possibilities prior to filing their respective cross-motions.

13 The parties have not previously requested the continuance of any dates set
14 forth in the November 21 Order.

15 WHEREAS, for good cause, for the convenience of the Court, and to conserve
16 both the Court’s and the parties’ time and resources while allowing the parties to
17 fully explore settlement possibilities, the parties stipulate to, and respectfully request,
18 a continuance of the following pretrial and trial dates set forth in the November 21
19 Order by 28 days, as set forth below.

20 **STIPULATION**

21 The parties agree and stipulate, and respectfully request, the following 28-day
22 continuances of dates set forth in the Court’s November 21, 2016 Order:

- 23 1. Plaintiff’s motion for summary judgment in this ERISA matter will be
24 filed on or before June 9, 2017;
- 25 2. Standard’s opposition and cross-motion will be filed on or before
26 June 30, 2017;
- 27 3. Plaintiff’s reply and opposition will be filed on or before July 21, 2017;
- 28 4. Standard’s reply will be filed on or before August 4, 2017;

1 5. The hearing on the parties' cross-motions is continued to August 22,
2 2017 at 1:30 p.m.

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4 IT IS SO STIPULATED

5
6 Dated: May 1, 2017

KANTOR & KANTOR, LLP
Glenn R. Kantor
Alan E. Kassan
Brent Dorian Brehm

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8
9 By: /s/ Brent Dorian Brehm
10 Brent Dorian Brehm
11 Attorneys for Plaintiff
12 DEDRA ESPINDOLA

13 Dated: May 1, 2017

MESERVE, MUMPER & HUGHES LLP
Linda M. Lawson
Charles K. Chineduh

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16 By: /s/ Charles K. Chineduh
17 Charles K. Chineduh
18 Attorneys for Defendant
19 STANDARD INSURANCE
20 COMPANY

21 **Filer's Attestation-Local Rule 131(e)**

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

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ORDER

Based on the parties' Stipulation and good cause appearing, the following dates set forth in the Court's November 21, 2016 Order are continued as follows:

1. Plaintiff Dedra Espindola's motion for summary judgment in this ERISA matter shall be filed on or before June 9, 2017;
2. Defendant Standard Insurance Company's opposition and cross-motion shall be filed on or before June 30, 2017;
3. Plaintiff's reply and opposition shall be filed on or before July 21, 2017;
4. Defendant's reply shall be filed on or before August 4, 2017;
5. Hearing on the parties' cross-motions is continued from July 25, 2017 at 1:30 p.m. to August 22, 2017 at 1:30 p.m.

IT IS SO ORDERED.

Dated: May 2, 2017

/s/ John A. Mendez
Hon. John A Mendez
United States District Court Judge