

United States District Court  
Eastern District of California

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

FADI G. HADDAD  
Plaintiff,  
v.  
SMG LONG TERM DISABILITY PLAN,  
AND HARTFORD LIFE AND ACCIDENT  
INSURANCE COMPANY,  
Defendants.

Case No. [16-cv-01700-WHO](#)

**ORDER RE EX PARTE REQUEST**

Re: Dkt. No. 118

According to the parties’ stipulation filed on April 30, 2021, the parties settled one of the two remaining issues in this case regarding pre-disability monthly earnings (“PDE”). Dkt. No. 114. In reliance on that stipulation, I continued the briefing and hearing date on the remaining issue in this case, regarding prejudgment interest.

Because the PDE issue was settled, Hartford did not file any information regarding that issue in its May 7, 2021 submission to the Court (that otherwise would have been necessary under the Court’s February 17, 2021 Civil Minute Order, Dkt. No. 103). The parties, apparently, have a dispute over whether that was appropriate. As such, Hartford filed an Ex Parte request seeking a status conference to resolve the issue in advance of the June 15, 2021 conference where the claim for prejudgment interest will be resolved. Dkt. No. 118.

Plaintiff’s counsel opposes, seeing no need to have an interim status conference before the June 15, 2021 conference. Dkt. No. 120.

Considering both sides’ submissions, I direct as follows:

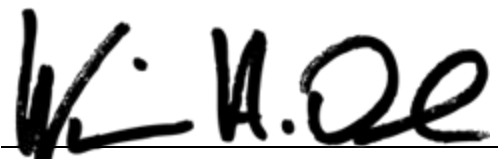
In light of the parties’ settlement of the PDE issue, Hartford is excused from submitting information regarding that issue as otherwise required by the February Civil Minute Order. By May 25, 2021, Hartford shall provide plaintiff with the release covering the PDE issue. Plaintiff

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shall execute that release on or before May 28, 2021, unless plaintiff has a good faith basis for objecting to the release. Any such good faith objection shall be submitted to this Court for resolution by June 8, 2021. That objection will be resolved along with the remaining prejudgment interest issue.

**IT IS SO ORDERED.**

Dated: May 24, 2021



William H. Orrick  
United States District Judge