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FOR ITSELF AND ON BEHALF OF INCORRECTLY
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DELIA BEERS

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

19 DELIA BEERS,

20 Plaintiff,

21 v.

22 AIG BENEFIT SOLUTIONS; THE UNITED
STATES LIFE INSURANCE COMPANY
23 IN THE CITY OF NEW YORK; NURSES
SERVICE ORGANIZATION; AIS
24 AFFINITY INSURANCE AGENCY, INC.
and DOES I through 50, inclusive,

25 Defendants.
26

Case 2:16-cv-02166-WBS-KJN

**STIPULATION TO EXTEND DEADLINE
TO FILE DISPOSITIONAL DOCUMENTS
AND TO EXCUSE FILING OF JOINT
STATUS REPORT; AND [PROPOSED]
ORDER**

Removal Filed: September 9, 2016

Status Conference: January 17, 2017

Time: 1:30 p.m.

Courtroom: 5

27 **IT IS HEREBY STIPULATED**, by and between plaintiff Delia Beers and Defendants

28 The United States Life Insurance Company in the City of New York for itself and on behalf of

1 incorrectly named AIG Benefit Solutions (“US Life”), through their attorneys of record, as
2 follows:

3 1. The parties have settled this action and filed a Joint Notice of Settlement on
4 November 23, 2016 [Doc. No. 12];

5 2. Pursuant to a Minute Order entered on November 23, 2016, the Court ordered that
6 dispositional documents be filed in this action no later than December 14, 2016;

7 3. On December 13, 2016, the parties filed a Stipulation to Extend Deadline to File
8 Dispositional Documents and Proposed Order [Doc. No. 14];

9 4. On December 14, 2016, the Court entered an Order extending the deadline to file
10 dispositional documents to January 4, 2017 [Doc. No. 15];

11 5. A Status Conference currently is scheduled in this case for January 17, 2017 and
12 the Joint Status Report currently is due on January 3, 2017;

13 6. Plaintiff has executed a Confidential Settlement Agreement and Release and
14 returned a copy of the executed agreement to counsel for US Life;

15 7. US Life currently is processing the settlement check and anticipates that the
16 settlement check will be delivered to counsel for plaintiff on or before January 6, 2017;

17 8. After plaintiff receives the settlement check, a Stipulation To Dismiss Entire
18 Action With Prejudice And Proposed Order, in the form attached hereto as Exhibit A, will be
19 filed with the Court;

20 9. The parties reasonably do not expect that the settlement will be finalized or that
21 they will be able to file a stipulation of dismissal with prejudice in this action on or before
22 January 4, 2017;

23 10. For this reason, the parties agree and stipulate that the deadline to file dispositional
24 documents in this action should be extended from January 4, 2017 to January 16, 2017;

25 11. The parties also do not believe that it will be necessary to hold a status conference
26 in this case, because it has settled and they anticipate filing the dispositional documents before
27 January 17, 2017;

28 12. The parties therefore further agree and stipulate that this Stipulation should be

1 deemed a Joint Status Report to the Court and that they be excused from filing a separate Joint
2 Status Report prior to the January 17, 2017 Status Conference; and

3 13. This stipulation is made in good faith and not for the purposes of delay or
4 obstruction, and is based on good cause as set forth above.

5
6 Dated: January 3, 2017

EDISON, McDOWELL & HETHERINGTON LLP

7
8 By: /s/ Jodi K. Swick (w/permission)
9 Jodi K. Swick

10 Attorneys for Defendants
11 THE UNITED STATES LIFE INSURANCE
12 COMPANY IN THE CITY OF NEW YORK
13 FOR ITSELF AND ON BEHALF OF
INCORRECTLY NAMED AIG BENEFIT
SOLUTIONS

14 Dated: January 3, 2017

ERIC RATINOFF LAW CORP

15
16 By: /s/ Marla C. Strain
Marla C. Strain

17 Attorneys for Plaintiff
18 DELIA BEERS

19
20 **ORDER**

21 Having read the parties' stipulation and good cause appearing therefore, it is hereby
22 ordered as follows:

23 1. The deadline to file dispositional documents in this action hereby is extended from
24 January 4, 2017 to January 16, 2017; and

25 2. The above stipulation shall be deemed the parties' Joint Status Report and the
26 parties hereby are excused from filing a separate Joint Status Report prior to the January 30,
27

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1 2017 Status Conference.

2 3. The Status Conference is continued to **January 30, 2017 at 1:30 p.m.** pending
3 submission of the dispositional documents.
4

5
6 **IT IS SO ORDERED.**

7 **Dated: January 3, 2017**



8 **WILLIAM B. SHUBB**
9 **UNITED STATES DISTRICT JUDGE**