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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KIM-ANH PHAM, on behalf of herself and all
others similarly situated,

Plaintiff,

v.

LINCOLN BENEFIT LIFE COMPANY, and
DOES 1 to 50, inclusive,

Defendants.

Case No. 2:23-cv-00561-KJM-DB

Hon. Kimberly J. Mueller
Courtroom 3

**ORDER GRANTING STAY OF ACTION
PENDING RESOLUTION OF APPEAL**

[Filed concurrently with Joint Stipulation]

Complaint Filed: March 23, 2023

1 After careful consideration and finding good cause, the court approves the parties' Joint
2 Stipulation. This case shall be stayed pending a ruling by the Ninth Circuit Court of Appeals in
3 *Farley v. Lincoln Benefit Life Co.*, No. 20-02485, 2023 WL 3007413 (E.D. Cal. Apr. 18, 2023),
4 *appeal docketed*, No. 23-16224 (9th Cir. Sept. 29, 2023) (Farley appeal). Either party to this
5 action may petition this court to lift the stay in the event of a Ninth Circuit substantive ruling in
6 *Small v. Allianz Life*, No. 20-01944, 2023 WL 4042593 (C.D. Cal. May 23, 2023), *appeal*
7 *docketed*, No. 23-55821 (9th Cir. Sept. 29, 2023), *Poe v. Northwestern Mutual*, No. 21-02065,
8 2023 WL 7273741 (C.D. Cal. Oct. 19, 2023), *appeal docketed*, No. 23-3243 (9th Cir.
9 Nov. 2, 2023), *Siino v. Foresters Life*, *appeal docketed*, No. 23-16189 (9th Cir. Sept. 18, 2023),
10 *Moriarty v. Am. Gen. Life Ins. Co.*, No. 17-1709, 2023 WL 6280967 (S.D. Cal. Sept. 26, 2023),
11 *appeal docketed*, No. 23-3650 (9th Cir. Nov. 21, 2023), *Pitt v. Metropolitan Tower Life*,
12 675 F. Supp. 3d 1073 (S.D. Cal. 2023), *appeal docketed*, No. 23-55566 (9th Cir. June 27, 2023),
13 or *Park v. AXA Equitable Life Ins. Co.*, No. 22-00761, 2023 WL 1931373 (C.D. Cal. Jan. 11,
14 2023), *appeal docketed*, No. 23-55130 (9th Cir. Feb. 10, 2023). The parties shall file a Joint
15 Status Report within fourteen (14) days after the final resolution of the Farley appeal.

16 Within seven (7) days of the date of this order, Lincoln Benefit shall produce the
17 information set forth in the Stipulation to plaintiff.

18 IT IS SO ORDERED.

19 DATED: May 31, 2024.

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22 CHIEF UNITED STATES DISTRICT JUDGE
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