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Attorneys for Defendant  
 CALIFORNIA STATE AUTOMOBILE  
 ASSOCIATION INTER-INSURANCE  
 BUREAU GROUP LONG TERM  
 DISABILITY PLAN

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

SUSAN O'HARTZ,  
  
 Plaintiff,  
  
 vs.

CALIFORNIA STATE AUTOMOBILE  
 ASSOCIATION INTER-INSURANCE  
 BUREAU GROUP LONG-TERM  
 DISABILITY PLAN,  
  
 Defendant.

Case No. C07-00415 MMC

**STIPULATION RE ATTORNEYS FEES  
 AND COSTS AND PREJUDGMENT  
 INTEREST; ~~PROPOSED~~ ORDER  
 THEREON**

**STIPULATION**

In light of the Judgment entered by this Court on September 11, 2008, counsel for plaintiff has submitted its fee and cost bill to counsel for defendant, which, after minor adjustments, defendant has approved in the total amount of \$25,000.00. Said amount will be paid directly to counsel for plaintiff. The parties have also agreed on the interest rate to

Stipulation Re Attorneys Fees and Costs - Case No. C 07-00415 MMC

1 be paid to plaintiff on the short term disability payments ordered by the Court pursuant to  
2 the terms of the defendant Plan, and, without admitting liability therefor, the Plan will pay to  
3 plaintiff interest on the calculated short term disability payment at an annual rate of ten  
4 percent (10%). Plaintiff will therefore not need to file her motions for attorneys fees and  
5 costs and prejudgment interest, by the deadline set forth in the Court's Judgment and  
6 under Local Rule 54-6 or at all.

7 DATE: September 23, 2008

THORNTON DAVIDSON & ASSOCIATES

8  
9 By: /s/ Thornton Davidson  
10 THORNTON DAVIDSON

11 Attorneys for Plaintiff  
SUSAN O'HARTZ

12 DATE: September 23, 2008

GREEN & HUMBERT


13  
14 By: /s/ C. Mark Humbert  
15 C. MARK HUMBERT

16 Attorneys for Defendant  
17 CALIFORNIA STATE AUTOMOBILE  
ASSOCIATION INTER-INSURANCE  
18 BUREAU GROUP LONG-TERM  
DISABILITY PLAN

19 **~~PROPOSED~~ ORDER**

20 **IT IS SO ORDERED.** ~~Because plaintiff and defendant have resolved by stipulation~~  
21 ~~In light of the Court's ruling, plaintiff need not file a motion for fees, costs, or prejudgment~~  
~~the attorneys fee and cost and prejudgment interest issues, plaintiff will not need to file her~~  
22 ~~interest.~~  
~~motions for fees and costs and for prejudgment interest.~~

23 Dated: September 25, 2008

24   
MAXINE M. CHESNEY  
25 United States District Judge  
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