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

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

16 SUSAN O'HARTZ,
 17 Plaintiff,
 18 vs.

19 CALIFORNIA STATE AUTOMOBILE
 ASSOCIATION INTER-INSURANCE
 20 BUREAU GROUP LONG-TERM
 DISABILITY PLAN,
 21 Defendant.
 22

) Case No. C07-00415 MMC
)
) **STIPULATION RE ATTORNEYS FEES**
) **AND COSTS AND PREJUDGMENT**
) **INTEREST; ~~PROPOSED~~ ORDER**
) **THEREON**

23
 24 **STIPULATION**

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

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
12 SUSAN O'HARTZ

13 DATE: September 23, 2008

GREEN & HUMBERT

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

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

21 ~~IT IS SO ORDERED.~~

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

27 Dated: September 25, 2008

28 
MAXINE M. CHESNEY
United States District Judge