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7 Attorneys for Plaintiff
 MICHAEL MOODY

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA

| | | |
|-----------------------------------|---|-----------------------------------|
| 12 MICHAEL MOODY, |) | Case No. C07-01017 MHP |
| |) | |
| 13 Plaintiff, |) | STIPULATION AND [PROPOSED] |
| |) | ORDER CONTINUING HEARING |
| 14 v. |) | FOR CROSS-MOTIONS FOR |
| |) | JUDGMENT |
| 15 LIBERTY LIFE ASSURANCE COMPANY |) | |
| 16 OF BOSTON, THE SYNOPSIS, INC. |) | |
| GROUP DISABILITY INCOME PLAN, et |) | |
| 17 al., |) | |
| |) | |
| 18 Defendants. |) | |
| |) | |

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 20 Plaintiff MICHAEL MOODY, through his counsel, and defendants LIBERTY LIFE
 21 ASSURANCE COMPANY OF BOSTON and THE SYNOPSIS, INC. GROUP
 22 DISABILITY INCOME PLAN, through their counsel, stipulate as follows:

23 1. The hearing for the parties' Cross-Motions for Judgment was originally set for
 24 November 17, 2008 at 2:00 p.m. before the Honorable Marilyn Hall Patel. On November 6,
 25 2008, the Court reset the hearing for the Cross-Motions for November 20, 2008 at 10:00 a.m.
 26 On November 19, 2008, the Court reset the hearing for the Cross-Motions for December 2,
 27 2008 at 10:00 a.m.

28 2. Plaintiff's lead counsel, Terrence J. Coleman, is unavailable to appear on the

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1 Court's continued hearing date of December 2, 2008, due to a previously scheduled and pre-
2 paid family vacation to Disneyland from November 29, 2008 through December 2, 2008.

3 3. In light of Mr. Coleman's unavailability on December 2, 2008, the parties stipulate
4 to continue the hearing on the Cross-Motions to December 22, 2008 at 2:00 p.m. before this
5 Court, which the parties have confirmed as an available date and time for the Court

6
7 Dated: November 20, 2008

PILLSBURY & LEVINSON, LLP

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9 By: Terrence J. Coleman / BHK
10 Terrence J. Coleman
11 Brian H. Kim
12 Attorneys for Plaintiff
13 MICHAEL MOODY

14
15 Dated: November 20, 2008

ROPERS, MAJESKI, KOHN & BENTLEY

16
17 By: [Signature]
18 Pamela E. Cogan
19 Attorneys for Defendants
20 LIBERTY LIFE ASSURANCE COMPANY OF
21 BOSTON; THE SYNOPSIS, INC. GROUP
22 DISABILITY INCOME PLAN

23 **PROPOSED ORDER**

24 Pursuant to the stipulation of the parties, the Court orders that the hearing on the parties'
25 Cross-Motions for Judgment shall be continued to December 22, 2008 at 2:00 p.m. before this
26 Court.

27 IT IS SO ORDERED.

28 Dated: 11/25/2008

