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 12 KAISER PERMANENTE FLEXIBLE
 13 BENEFITS PLAN

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25 UNITED STATES DISTRICT COURT
 26 NORTHERN DISTRICT OF CALIFORNIA

27 DONALD GRACEY,
 28 Plaintiff,
 29 vs.
 30 KAISER PERMANENTE FLEXIBLE
 31 BENEFITS PLAN,
 32 Defendant.

No. C 07-03853 VRW MEJ

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO CONTINUE DATE FOR
 FILING PROPOSED FINDINGS OF
 FACT AND CONCLUSIONS OF LAW**

Judge: Hon. Maria-Elena James

33 Plaintiff Donald Gracey and defendant Kaiser Permanente Flexible Benefits Plan, through
 34 their respective counsel of record, hereby stipulate, and request that the Court order, that the date
 35 for the filing of proposed findings of fact and conclusions of law, currently set for March 4, 2010,

1 be continued by one week, to March 11, 2010.

2 This request is made on the ground that the parties have been diligently pursuing a
3 possible resolution of the action, and require a short additional period of time in order to
4 determine whether those efforts will be successful. If the efforts are not successful, then the
5 parties undertake and represent to the Court that they will file their proposed findings and
6 conclusions, as ordered by the Court on February 18, 2010.

7 It is so stipulated.

8
9 Dated: March 3, 2010

LAW OFFICE OF MICHAEL E. KINNEY

10
11 By: /s/ Michael E. Kinney (as authorized 3/3/10)
12 Michael E. Kinney
13 Attorney for Plaintiff

14 Dated: March 3, 2010

SEDGWICK, DETERT, MORAN & ARNOLD LLP

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16 By: /s/ Rebecca A. Hull
17 Rebecca A. Hull
18 Attorneys for Kaiser Permanente Flexible
19 Benefits Plan

20 **ORDER**

21 Upon the stipulation of the parties, and good cause appearing therefore, IT IS SO
22 ORDERED. The parties' proposed findings of fact and conclusions of law shall be filed on or
23 before March 11, 2010.

24 Dated: March 3, 2010

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United States Magistrate Judge