

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PATRICIA BROYLES,
Plaintiff,

No. C-07-5305 MMC

**ORDER DENYING PLAINTIFF'S
REQUEST FOR STATUS CONFERENCE**

v.

A.U.L. CORPORATION LONG-TERM
DISABILITY INSURANCE PLAN,
Defendant,

STANDARD INSURANCE COMPANY,
Real Party in Interest.

The Court is in receipt of a letter, filed January 21, 2009 by counsel for plaintiff Patricia Broyles ("Broyles"), by which said counsel requests a Status Conference to "discuss" how the Ninth Circuit's recent decision in Nolan v. Heald, No. 07-15679, 2009 WL 69238 (9th Cir. Jan. 13, 2009) "affects the motions under submission" in the instant action.¹ On January 22, 2009, counsel for defendant A.U.L. Corporation Long-Term Disability Insurance Plan and real party in interest Standard Insurance Company (collectively,

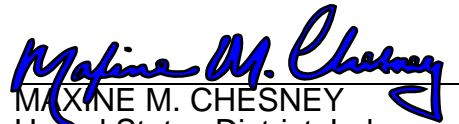
¹Contrary to the assertion of Broyles' counsel, neither party has filed a motion for summary judgment. Rather, on October 10, 2008, Broyles filed a "Brief in Support of Judgment," and, on October 24, 2008, Standard filed a motion to strike two declarations filed by Broyles in support of such brief. On November 10, 2008, the Court took both matters under submission. No other motions are pending in the instant action at this time.

1 "Standard") filed a letter in opposition to the request of Broyles' counsel. Having read and
2 considered the parties' filings, the Court finds a Status Conference is not necessary at this
3 time.

4 Accordingly, the request for a Status Conference is hereby DENIED.

5 **IT IS SO ORDERED.**

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7 Dated: January 26, 2009

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9 MAXINE M. CHESNEY
10 United States District Judge
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