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7 Attorneys for Defendants  
 8 UNUM GROUP (previously known as  
 9 UNUMPROVIDENT CORPORATION),  
 10 THE PAUL REVERE LIFE INSURANCE COMPANY,  
 and NEW YORK LIFE INSURANCE COMPANY

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

14 LEWIS G. SHEPLER II, M.D.

15 Plaintiff,

16 vs.

17 UNUMPROVIDENT CORPORATION; THE  
 18 PAUL REVERE LIFE INSURANCE  
 COMPANY and UNUM GROUP, inclusive,

19 Defendant.

) Case No.: C08-00240 MEJ

) **STIPULATION TO CONTINUE CASE**  
 ) **MANAGEMENT CONFERENCE;**  
 ) **[PROPOSED] ORDER**

1 The parties, plaintiff Lewis G. Shepler II, M.D. and defendants Unum Group (previously  
2 known as UnumProvident Corporation), The Paul Revere Life Insurance Company, and New  
3 York Life Insurance Company (“defendants”), hereby stipulate to continue the Case  
4 Management Conference presently scheduled for January 29, 2009 to March 12, 2009. The  
5 parties need additional time to discuss settlement.

6  
7 **IT IS SO STIPULATED.**

8 KNOX RICKSEN, LLP

9  
10 Dated: January 21, 2009

11 By \_\_\_\_\_ /s/  
12 Thomas E. Fraysse  
13 Attorney for Plaintiff  
14 LEWIS G. SHEPLER II, M.D.

15 WILSON, ELSER, MOSKOWITZ, EDELMAN &  
16 DICKER LLP

17 Dated: January 21, 2009

18 By \_\_\_\_\_ /s/  
19 Thomas M. Herlihy  
20 John T. Burnite  
21 Attorney for Defendants  
22 UNUM GROUP (Previously known as  
23 UNUMPROVIDENT CORPORATION),  
24 THE PAUL REVERE LIFE INSURANCE  
25 COMPANY and NEW YORK LIFE  
26 INSURANCE COMPANY

27 **ORDER**

28 IT IS SO ORDERED that the Case Management Conference be continued to March 12,  
2009.

Date: January 22, 2009

  
UNITED STATES MAGISTRATE JUDGE