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777 S. FIGUEROA ST., 47TH FLOOR
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5 Attorneys for Defendant
JP Morgan Retirement Services, LLC dba JP
6 Morgan Compensation and Benefit Strategies,
as Successor in Interest to CCA Strategies
7 LLC, and Chicago Actuaries, LLC

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

11 SHARTSIS FRIESE LLP,

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13 Plaintiff,

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15 v.

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17 JP MORGAN COMPENSATION AND
BENEFIT STRATEGIES as Successor in
18 Interest of CCA STRATEGIES LLC and
CHICAGO CONSULTING
19 ACTUARIES, LLC and DOES 1-10,

20
21 Defendants.

Case No. CV-08-01064 (SC)

**STIPULATION TO RETURN OR SHRED
DECLARATION OF CONNIE M.
ANDERSON IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT LODGED WITH
THE COURT UNDER SEAL AND REPLACE
WITH AMENDED DECLARATION OF
CONNIE M. ANDERSON IN SUPPORT OF
DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT LODGED UNDER SEAL;
DECLARATION OF CONNIE M.
ANDERSON; [~~PROPOSED~~] ORDER**

(Filed Concurrently with Amended Declaration of
Connie M. Anderson in Support of Motion for
Summary Judgment)

Date: May 1, 2009
Time: 10:00 a.m.
Courtroom: 1, 17th Floor
Judge: Hon. Samuel Conti

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25 WHEREAS, Defendant JP Morgan Retirement Services, LLC dba JP Morgan
26 Compensation and Benefit Strategies, as Successor in Interest to CCA Strategies LLC, and
27 Chicago Actuaries, LLC (hereinafter "CCA") lodged the Declaration of Connie M. Anderson in
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1 Support of Motion for Summary Judgment with the Court under seal on March 27, 2009;

2 WHEREAS, due to a clerical error on the part of the attorney service submitting such
3 documents to the Court, as further outlined in the attached Declaration of Connie M. Anderson,
4 the documents lodged with the Court may not have included the correct exhibits forwarded to the
5 attorney service by Defendant's attorneys;


6 THE PARTIES HEREBY STIPULATE that the Declaration of Connie M. Anderson and
7 all exhibits attached thereto, which was lodged with the Court under seal on March 27, 2009,
8 may be returned to Defendant or its attorney service, or it may be shredded by the Court, and the
9 Amended Declaration of Connie M. Anderson in Support of Motion for Summary Judgment,
10 including all exhibits attached thereto, which is submitted concurrently herewith, may be
11 submitted to the Court and lodged under seal, and shall be considered as if it were lodged and
12 served on March 27, 2009;

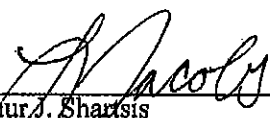
13 THE PARTIES FURTHER STIPULATE that Exhibit A, G, I, J, and K attached to the
14 Amended Declaration of Connie M. Anderson may be filed in the public record.

15 SO STIPULATED.

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17 KLINEDINST PC

SHARTSIS FRIESE, LLP

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19 By: 
20 John D. Klinedinst
21 Connie M. Anderson
22 Attorneys for Defendant
23 JP Morgan Chase Compensation
and Benefit Strategies, as successor in interest
to CCA Strategies, LLC,
and Chicago Actuaries, LLC

By: 
24 Arthur J. Shartsis
25 Lisa A. Jacobs
26 Attorneys for Plaintiff
27 Shartsis Friese, LLP

24 PURSUANT TO STIPULATION, IT IS SO ORDERED

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The Honorable 
United States District Court
Northern District of California

DECLARATION OF CONNIE M. ANDERSON

I, Connie M. Anderson, hereby declare:

1. I am an attorney licensed to practice before the United States District Court for the Northern District of California, and am an associate with the law firm of Klinedinst PC, attorneys for Defendant JP Morgan Chase Compensation and Benefit Strategies, as successor in interest to CCA Strategies, LLC, and Chicago Actuaries, LLC. I am the senior associate responsible for the handling of this case. I have reviewed and am familiar with the file in this matter. As such, if called upon, I could and would testify competently and of my own personal knowledge to the following:

2. On March 27, 2009, Defendant filed a Motion for Summary Judgment and concurrently therewith lodged the Declaration of Connie M. Anderson in Support of Motion for Summary Judgment with the Court under seal. As my office is in Los Angeles, California, in order to lodge the documents under seal with the Court, I scanned the documents and saved them onto a shared computer drive so that my assistant could e-mail them to an attorney service near the Court. The documents were e-mailed to the attorney service (I was copied on the e-mails), and it was my understanding that they were lodged with the Court as requested.

3. On April 2, 2009, it came to my attention that, due to an error on the part of the attorney service, the copy of my declaration that was served on Plaintiff's counsel contained the wrong Exhibit A. I also was informed of a typographical error in describing the title of Exhibit G to my declaration. These errors have been corrected with Plaintiff's counsel, however, I am unable to determine whether the correct documents were lodged with the Court, as they are under seal.

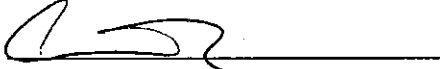
4. As Defendant is unable to determine whether the correct documents were lodged with the Court on March 27, 2009, in an abundance of caution, the parties have stipulated that the original Declaration of Connie M. Anderson in Support of Motion for Summary Judgment (and attached exhibits) may be released by the Court to Defendant or its attorney service, and the Amended Declaration of Connie M. Anderson in Support of Motion for Summary Judgment (and attached exhibits) submitted concurrently herewith may be lodged with the Court under seal and treated as

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though it was lodged and served on March 27, 2009.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 2nd day of April, 2009, at Los Angeles, California.



Connie M. Anderson, Declarant