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9 AT&T UMBRELLA BENEFIT PLAN NO. 1

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

14 LOUIS J. VELA,  
15  
16 Plaintiff,  
17 v.

18 AT&T UMBRELLA BENEFIT PLAN NO. 1  
19  
20 Defendant.

Case No.: CV 08 1575 MMC

**STIPULATION AND ~~[PROPOSED]~~ ORDER  
EXTENDING CASE DEADLINES**

Complaint filed: March 21, 2008  
First Amended Complaint Filed: May 14,  
2008

MILLER LAW GROUP  
A PROFESSIONAL CORPORATION  
SAN FRANCISCO, CALIFORNIA

1 WHEREAS, on July 18, 2008, the Court ordered that LOUIS J. VELA  
2 (“Plaintiff”) Plaintiff file and serve his Cross-Motion for Summary Judgment of the issues in  
3 this ERISA action by February 20, 2009, with Defendant AT&T UMBRELLA BENEFIT PLAN  
4 NO. 1’s, (hereinafter “Defendant”) Cross-Motion for Summary Judgment and opposition  
5 brief, Plaintiff’s opposition brief, and the parties’ reply briefs to follow;

6  
7 WHEREAS, the parties have not previously sought to continue or extend any  
8 of the deadlines in this ERISA action related to the filing of the parties’ Cross-Motions for  
9 Summary Judgment;

10  
11 WHEREAS, the parties agree that, due the voluminous record in this ERISA  
12 action, and to facilitate efficient and expeditious scheduling of the multiple briefs for the  
13 Court and parties, the current filing deadline should be modified to provide sufficient time for  
14 the parties to prepare their respective Cross-Motions for Summary Judgment, opposition  
15 and reply briefs.

16  
17 NOW, THEREFORE,

18 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and  
19 Defendant, by and through their respective undersigned attorneys of record, to continue the  
20 date set by the Court for hearing on the parties’ Cross-Motions for Summary Judgment as  
21 well as all associated deadlines, including the applicable deadlines for the filing of the  
22 parties’ opposition and reply briefs, and the date scheduled for the next Case Management  
23 Conference to be set by the Court:

24  
25 February 20, 2009 Last day for Plaintiff to file and serve Cross-  
26 Motion for Summary Judgment.  
27 March 20, 2009 Last day for Defendant to file and serve Cross-  
28 Motion for Summary Judgment and Opposition to  
Plaintiff’s Motion for Summary Judgment.



**ORDER**

1  
2  
3 Having reviewed the Stipulation executed by Plaintiff LOUIS J. VELA and  
4 Defendant AT&T UMBRELLA BENEFIT PLAN NO. 1, and good cause appearing, the Court  
5 hereby orders that the ~~July 18, 2008 hearing on the parties' Cross-Motions for Summary~~  
6 ~~Judgment and associated dates~~, as well as the scheduled Case Management Conference,  
7 ~~are VACATED, and are rescheduled~~ pursuant to the schedule set forth below.

8  
9 February 20, 2009 Last day for Plaintiff to file and serve Cross-  
10 Motion for Summary Judgment.

11 March 20, 2009 Last day for Defendant to file and serve Cross-  
12 Motion for Summary Judgment and opposition to  
13 Plaintiff's Cross-Motion for Summary Judgment.

14 April 17 \_\_\_\_\_, 2009 Last day for Plaintiff to file and serve opposition to  
15 Defendant's Cross-Motion for Summary  
16 Judgment, and reply in support of Plaintiff's  
17 Cross-Motion for Summary Judgment.

18 May 8 \_\_\_\_\_, 2009 Last day for Defendant to file and serve reply in  
19 support of Defendant's Cross-Motion for Summary  
20 Judgment.

21 May 22 \_\_\_\_\_, 2009 Hearing on the parties' Motions for Summary  
22 ~~10:30 a.m.~~ 9:00 a.m. Judgment.

23 July 17 \_\_\_\_\_, 2009 Case Management Conference.  
24 10:30 a.m.

25 **IT IS SO ORDERED.**

26 Dated: February 18, 2009

27   
28 The Honorable Maxine M. Chesney  
United States District Judge