

1 JONATHAN A. KLEIN (SBN 162071)  
 2 THOMAS K. HOCKEL (SBN 172367)  
 3 KELLY HOCKEL & KLEIN P.C.  
 44 Montgomery Street, Suite 2500  
 3 San Francisco, CA 94104-4798  
 Tel.: (415) 951-0535  
 4 Fax: (415) 391-7808  
 5 [thockel@khklaw.com](mailto:thockel@khklaw.com)

6 Attorneys for Defendants HARTFORD LIFE AND  
 7 ACCIDENT INSURANCE COMPANY and AMERICAN  
 8 PRESIDENT LINES, LTD

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

12 RHONDA M. PIERCE, as Administrator of  
 13 the Estate of PATRICIA A. HOFFER,  
 14 deceased,

15 Plaintiff,

16 vs.

17 HARTFORD LIFE AND ACCIDENT  
 18 INSURANCE COMPANY; AMERICAN  
 19 PRESIDENT LINES, LTD., and DOES 1  
 20 THROUGH 25,

21 Defendants.

) Case No.: CV-08-2174-MHP

) **STIPULATION EXTENDING DEADLINE**  
 ) **FOR BRIEFING ON STANDARD OF**  
 ) **REVIEW; PROPOSED ORDER**

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 STIPULATION EXTENDING DEADLINE FOR BRIEFING ON STANDARD OF REVIEW;  
 PROPOSED ORDER Case No.: CV-08-2174-MHP

1 Plaintiff Patricia Hoffer ("Plaintiff") and defendants Hartford Life and Accident  
2 Insurance Company ("Hartford") and American President Lines, Ltd., ("APL") by and through  
3 their respective counsel, hereby stipulate to an extension of time to file briefing on the standard  
4 of review in the above matter, and request an order extending the same, as follows.

5 1. This is an action by Plaintiff, as the administrator of the estate of Patricia A.  
6 Hoffer, deceased, seeking to recover total disability benefits under a Long term Disability Plan  
7 issued by Hartford to her former employer, APL.

8 2. Plaintiff believes the decedent also was insured under a life insurance policy  
9 issued by her employer. The parties have been working informally to determine whether Plaintiff  
10 continued coverage under the any such life insurance policy, the identity of the entity that issued  
11 the policy, and the amount of any such benefit. The parties agree that whether the decedent was  
12 eligible for a benefit under a life insurance policy issued or offered by the defendants is a  
13 material question that will substantially affect the value of the case and will impact the parties  
14 prosecution of the litigation and eventual approach to a resolution.

15 3. To date, the parties have been unsuccessful in their efforts to definitively answer  
16 the issues concerning the existence and availability of a life insurance benefit. However, they  
17 continue to work on the question.

18 4. At the status conference in this matter on January 12, 2009, the Court issued an  
19 order requiring the parties to file briefs on or before March 16, 2009, concerning the standard of  
20 review the Court should utilize in evaluating the propriety of Hartford's determination that the  
21 decedent was not entitled to further disability benefits.

22 5. The parties have expressed a mutual desire to explore settlement possibilities  
23 prior to incurring the attorney's fees and costs that would be associated with the preparation of  
24 the briefing on the standard of review. However, the parties also recognize they need to solve the  
25 life insurance question in order to maximize the potential for the success of their settlement  
26 discussions.

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