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6	Attorneys for Defendants HARTFORD LIFE AND ACCIDENT INSURANCE COMPANY and AMERICAN PRESIDENT LINES, LTD		
7	PRESIDENT LINES, LID		
8	UNITED STATED DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
0	SAN FRANCISCO DIVISION		
1			
2	RHONDA M. PIERCE, as Administrator of the Estate of PATRICIA A. HOFFER,) Case No.: CV-08-2174-MHP	
3	deceased,	STIPULATION EXTENDING DEADLING FOR BRIEFING ON STANDARD OF	
4	Plaintiff,	REVIEW; PROPOSED ORDER	
5			
6	VS.		
17	HARTFORD LIFE AND ACCIDENT INSURANCE COMPANY; AMERICAN		
18	PRESIDENT LINES, LTD., and DOES 1 THROUGH 25,		
9			
20	Defendants.)	
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26	,		
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		EING ON STANDARD OF PEVIEW.	
	STIPULATION EXTENDING DEADLINE FOR BRIEF PROPOSED ORDER	Case No.: CV-08-2174-MHP	

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

- 1. This is an action by Plaintiff, as the administrator of the estate of Patricia A. Hoffer, deceased, seeking to recover total disability benefits under a Long term Disability Plan issued by Hartford to her former employer, APL.
- 2. Plaintiff believes the decedent also was insured under a life insurance policy issued by her employer. The parties have been working informally to determine whether Plaintiff continued coverage under the any such life insurance policy, the identity of the entity that issued the policy, and the amount of any such benefit. The parties agree that whether the decedent was eligible for a benefit under a life insurance policy issued or offered by the defendants is a material question that will substantially affect the value of the case and will impact the parties prosecution of the litigation and eventual approach to a resolution.
- 3. To date, the parties have been unsuccessful in their efforts to definitively answer the issues concerning the existence and availability of a life insurance benefit. However, they continue to work on the question.
- 4. At the status conference in this matter on January 12, 2009, the Court issued an order requiring the parties to file briefs on or before March 16, 2009, concerning the standard of review the Court should utilize in evaluating the propriety of Hartford's determination that the decedent was not entitled to further disability benefits.
- 5. The parties have expressed a mutual desire to explore settlement possibilities prior to incurring the attorney's fees and costs that would be associated with the preparation of the briefing on the standard of review. However, the parties also recognize they need to solve the life insurance question in order to maximize the potential for the success of their settlement discussions.

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1	6.	Accordingly, the partie	s hereby request that the Court extend the deadline for the
2	filing of briefs on the standard of review until April 16, 2009, to allow the parties to continue to		
3	work on the life insurance question and pursue settlement discussions.		
4	IT IS	SO STIPULATED.	
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6	Dated	i: March 10, 2009	KELLY, HOCKEL & KLEIN P.C.
7			
8	!		
-9			By // Thomas K. Hockel Thomas K. Hockel
10			Attorneys for Defendants
11	Dated	d: March 10, 2009	LAW OFFICE OF CURTIS G. OLER
12			
13			P // C /: C O
14			By // Curtis G. Oler Curtis G. Oler
15			Attorney for Plaintiff
16		<u>ORDER</u>	
17	Havir	ing considered the parties' stipulation, and good cause appearing, the Court hereby	
18	approves of the foregoing stipulation and extends the deadline for the filing of briefing on the		
19	standard of review until April 16, 2009.		
20	IT IS	SO ORDERED.	STATES DISTRICT CO.
21			STATES ORDERED ES
22	Dated: March 12, 2009	INITED TO IT IS SO ORDERED	
23	Dated:		UNITHOST IT IS SO
24			Judge Marilyn H. Patel
25			Judge Marilyn 12
26			THE CENT
27			DISTRICT OF CENT
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	13		

Case No.: CV-08-2174-MHP