BARGER & WOLEN LLP 19800 MACARTHUR BLVD. EIGHTH FLOOR IRVINE, CA 92612 (949) 757-2800

Case No.: 3:08-cv-02749 TEH

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Pursuant to Rule 6-1 of the Local Rules of Practice for the United States District Court for the Northern District of California ("Local Rules"), Plaintiff Carrie Rizzotti ("Plaintiff") and Defendant The Prudential Insurance Company of America ("Defendant"), by and through their respective counsel, hereby stipulate to extend the time within which Defendant may answer or otherwise respond to the Complaint filed by Plaintiff on February 17, 2009 and served by request for waiver of service of summons upon Defendant on December 16, 2008.

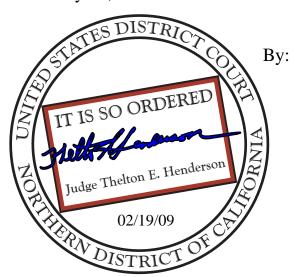
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Specifically, Defendant shall have an additional fourteen (14) days from the response date in which to answer or otherwise respond, such that a pleading filed on or before March 3, 2009 shall be deemed timely. Good cause exists for this extension because additional time is needed to gather all relevant plan documents and all matters previously reviewed and considered in connection with Plaintiff's disability claim (i.e., the "Administrative Record"), to formulate their interim litigation strategy and to prepare their actual responsive pleadings.

As provided by Local Rule 6-1, this stipulation "will not alter the date of any event or any deadline already fixed by Court order."

Dated: February 17, 2009

BARGER & WOLEN LLP



By: <u>/s/ Scott E. Calvert</u> ROBERT J. MCKENNON OTT E. CALVERT Attorneys for Defendant The Prudential Insurance Company of America

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