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14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN FRANCISCO DIVISION**

18 QUILLER BARNES,
 19 Plaintiff,
 20 v.
 21 AT&T PENSION BENEFIT PLAN -
 NONBARGAINED PROGRAM,
 22 Defendant.
 23

Case No. 08-04058 EMC

**JOINT STIPULATION AND [PROPOSED]
ORDER RE CASE SCHEDULE**

Judge Edward M. Chen

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17 **AT&T PENSION BENEFIT PLAN – NONBARGAINED PROGRAM**

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1 Plaintiff Quiller Barnes and Defendant AT&T Pension Benefit Plan – NonBargained
2 Program (collectively the “Parties”) through their respective counsel stipulate as follows:

3 WHEREAS, on July 25, 2011, the Court ordered that the parties submit a stipulation
4 regarding the new briefing schedule on the cross motions for summary judgment (to follow
5 shortly after completion of settlement conference.) (Dkt. No. 265);

6 WHEREAS, the Parties completed a settlement conference with Magistrate Judge Maria-
7 Elena James on November 16, 2011 but were unable to settle the case (Dkt. No. 281);

8 WHEREAS the Court also ordered the Parties to submit a Joint Stipulation setting forth a
9 briefing schedule for summary judgment by no later than November 21, 2011 (Dkt. No. 277);

10 WHEREAS, the Parties have met and conferred regarding the briefing schedule on cross
11 motions for summary judgment;

12 WHEREAS, the parties previously requested in their joint case management statement of
13 June 22, 2011 (Dkt. No. 258), that the Court increase the number of allowable pages in light of
14 the proposed consolidated briefing schedule to:

- 15 • 50 pages for Defendant's combined Cross-Motion and Opposition (the total
16 number of combined pages Defendant normally would have available under Civil Local Rules 7-
17 2(b) and 7-4(b) for both a Motion for Summary Judgment and an Opposition), and
- 18 • 40 pages for Plaintiff’s combined Opposition and Reply (the total number of
19 combined pages Plaintiff normally would have available under Civil Local Rule 7-4(b) for both
20 an Opposition and a Reply).

21 **IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES** that the
22 following summary judgment briefing schedule shall apply:

- 23 1. Plaintiff’s Motion for summary judgment on the question of Plan interpretation and
24 standard of review to be filed by no later than January 13, 2012;
- 25 2. Defendant’s combined Cross-Motion and Opposition to be filed by no later than
26 February 3, 2012;
- 27 3. Plaintiff’s combined Opposition and Reply to be filed by no later than February 28,
28 2012;

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- 4. Defendant's Reply to be filed by no later than March 13, 2012; and
- 5. Hearing on Motions will be held on March 30, 2012.
- 6. The following page limitations shall apply for the parties combined briefing:
 - a. ~~50~~⁴⁰ pages for Defendant's combined Cross-Motion and Opposition, and
 - b. ~~40~~²⁵ pages for Plaintiff's combined Opposition and Reply.

Dated: November 21, 2011

COHEN MILSTEIN SELLERS & TOLL PLLC

By: /s/
R. Joseph Barton
Attorneys for Plaintiff & Class

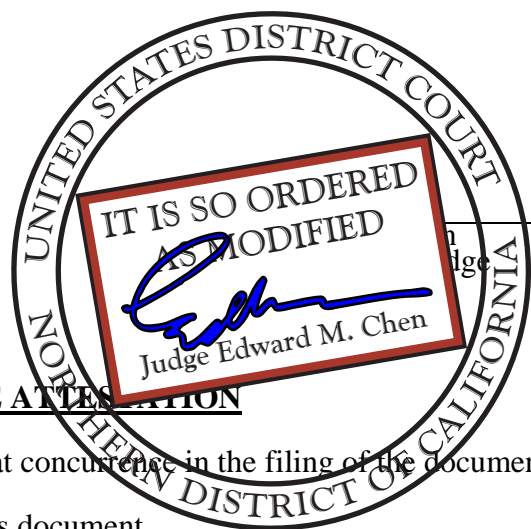
Dated: November 21, 2011

PAUL, HASTINGS, JANOFSKY & WALKER LLP

By: /s/
Patrick W. Shea
Attorneys for Defendant

PURSUANT TO STIPULATION, IT IS SO ORDERED. (as modified above - Lines 4-6)

Dated: 11/29/11



SIGNATURE ATTESTATION

I, Michelle L. Roberts, hereby attest that concurrence in the filing of the document has been obtained from the other signatories on this document.

/s/
MICHELLE L. ROBERTS