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13 AT&T PENSION BENEFIT PLAN –
NONBARGAINED PROGRAM
14 [*Additional counsel listed on next page*]

15 **UNITED STATES DISTRICT COURT**

16 **NORTHERN DISTRICT OF CALIFORNIA**

17 QUILLER BARNES,

18 Plaintiff,

19 vs.

20 AT&T PENSION BENEFIT PLAN –
21 NONBARGAINED PROGRAM,

22 Defendant.

CASE NO. 08-04058 EMC

**JOINT STIPULATION & [PROPOSED]
ORDER SCHEDULING CASE
MANAGEMENT CONFERENCE**

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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 referred to as the “Parties”), acting through their respective counsel of record,
3 hereby stipulate as follows:

4 WHEREAS, on September 10, 2012, the Court ordered the rescheduling of the case
5 management conference in the above-captioned matter from November 2, 2012 to November 30,
6 2012 (D.E. #317);

7 WHEREAS, on October 5, 2012 the Parties filed the Stipulation on Partial Dismissal of
8 Remaining Claims & [Proposed] Order (D.E. #320);

9 WHEREAS, on October 11, 2012, the Court ordered Plaintiff to file a motion addressing
10 whether class notice is required for the dismissal of Count III and/or Count IV, for Defendant to file
11 an opposition 21 days thereafter, and for Plaintiff to file any reply within 14 days thereafter (D.E.
12 #321);

13 WHEREAS, on November 1, 2012, Plaintiff filed PLAINTIFF’S MOTION RE:
14 DISMISSAL OF COUNTS III AND IV; CLASS NOTICE; AND MODIFICATION OF THE
15 COURT’S SUMMARY JUDGMENT ORDER (D.E. # 309) WITH RESPECT TO ANNUITANT
16 CLASS MEMBERS (D.E. # 323);

17 WHEREAS, the hearing on Plaintiff’s above-referenced motion is set for December 21, 2012
18 at 1:30 p.m. (D.E. #327);

19 WHEREAS, in light of Plaintiff’s pending motion regarding the dismissal of the case, the
20 Parties do not believe that a case management conference prior to the hearing and/or a decision on
21 Plaintiff’s motion is necessary or an efficient use of judicial resources;

22 WHEREAS, the Parties seek to reschedule the case management conference to March 15,
23 2013 or, in the alternative, to December 21 2012;

24 IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES:

25 The case management conference in the above-captioned matter may be rescheduled from
26 November 30, 2012 to March 15, 2013 (or, in the alternative, to December 21, 2012). The Parties
27 shall file an updated joint case management conference statement by no later than seven days before
28 the rescheduled case management conference.

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DATED: November 20, 2012

By: /s/ Michelle L. Roberts
MICHELLE L. ROBERTS

Attorneys for Plaintiff
Quiller Barnes

DATED: November 20, 2012

By: /s/ Patrick W. Shea
PATRICK W. SHEA

Attorneys for Defendant
AT&T Pension Benefit Plan - Nonbargained Program

SIGNATURE ATTESTATION

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

DATED: November 20, 2012

SPRINGER-SULLIVAN & ROBERTS LLP

By: /s/ Michelle L. Roberts
MICHELLE L. ROBERTS
Attorneys for Plaintiff

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The case management conference is the above-captioned matter is hereby rescheduled from
November 30, 2012 to March 14, 2013 at 10:30 a.m. ~~for December 21, 2012 at 1:30 p.m.~~. All
deadlines associated with that conference are hereby reset, except that the Parties' Joint Case
Management Statement shall be filed by March 7, 2013 ~~[or December 14, 2012]~~.

DATED: 11/21, 2012

By: _____
HON. EDWARD M. CHEN
United States District Court

