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6 Attorneys for Defendant Health Net Life Insurance Company

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

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 11 GORDON GRAVELLE,
 12 Plaintiff,
 13
 14 v.
 15 HEALTH NET LIFE INSURANCE
 COMPANY, a California Corporation
 and Does 1-100 inclusive,
 16 Defendants.

) CASE NO. C08 4653 MHP
 Hon. Marilyn Hall Patel
)
) **STIPULATION RE AMENDING**
COMPLAINT AND RESPONSE
THERE TO; ORDER

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 19 By and through their attorneys of record, the parties hereby stipulate, and the
 20 Court hereby orders, as follows:

- 21
 22 1) Plaintiff will file and serve an amended complaint on or before November 13,
 23 2008; and
 24
 25 2) Defendant Health Net Life Insurance Company (“Health Net”) will have until
 26 twenty days after the amended complaint is filed to file and serve a response to the
 27 complaint. If, after service of the amended complaint, Health Net seeks leave of Court
 28 to file a motion to dismiss before the initial case management conference, plaintiff will

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1 not object to that request.

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3 DATED: October 14, 2008

LEWIS BRISBOIS BISGAARD & SMITH LLP

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By *Elise D. Klein*

ELISE D. KLEIN, Esq.
Attorneys for Defendant, Health Net Life
Insurance Company

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10 DATED: October 14, 2008

KOELLER, NEBEKER, CARLSON & HALUCK, LLP

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By *Jennifer Weiner*

JENNIFER WEINER, Esq.
CHAD DUNIGAN, Esq.
Attorneys for Plaintiff, Gordon Gravelle

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15

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ORDER

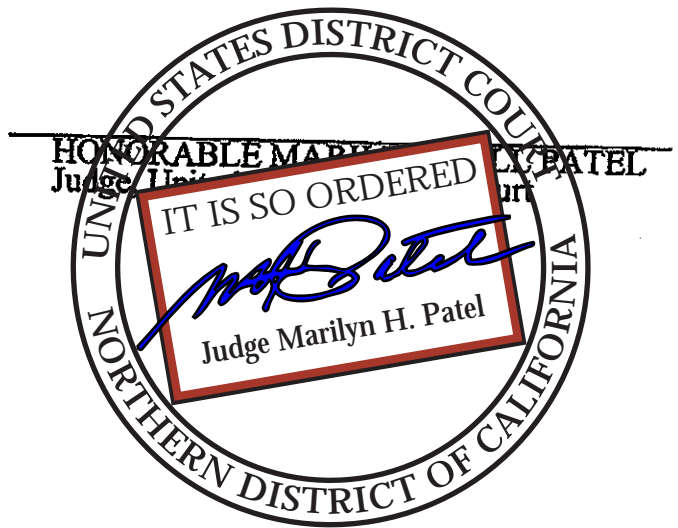
18 PURSUANT TO STIPULATION, IT IS SO ORDERED:

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20 DATED: 10/15/2008

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1 **FEDERAL COURT PROOF OF SERVICE**
2 *Gravelle v. Health Net Life Insurance Company - File No. 25713-237*

3 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

4 At the time of service, I was over 18 years of age and not a party to the action.
5 My business address is 221 North Figueroa Street, Suite 1200, Los Angeles, California
6 90012. I am employed in the office of a member of the bar of this Court at whose
7 direction the service was made.

8 On October 14, 2008, I served the following document(s): **STIPULATION RE
9 AMENDING COMPLAINT AND RESPONSE THERETO; ORDER**

10 I served the documents on the following persons at the following addresses:

11 **Chad N. Dunigan, Esq.**
12 **Jennifer A. Weiner, Esq.**
13 **KOELLER, NEBEKER, CARLSON & HALUCK, LLP**
14 **3010 Lava Ridge Court, Suite 160**
15 **Roseville, CA 95661**
16 **Tel: (916) 724-5700**
17 **Fax: (916) 788-2850**

18 The documents were served by the following means:

- 19 [] (BY U.S. MAIL) I enclosed the documents in a sealed envelope or package
20 addressed to the persons at the addresses listed above and I deposited the sealed
21 envelope or package with the U.S. Postal Service, with the postage fully prepaid.
- 22 [X] (BY COURT'S CM/ECF SYSTEM) Pursuant to Local Rule, I electronically filed
23 the documents with the Clerk of the Court using the CM/ECF system, which sent
24 notification of that filing to the persons listed above.

25 I declare under penalty of perjury under the laws of the State of California that the
26 above is true and correct.

27 Executed on October 14, 2008, at Los Angeles, California.

28 

Rosa Reza